Bombay Gazette.

VOL. 36. WEDNESDAY, 9TH NOVEMBER, 1825. No. 1849.

GENERAL ORDERS.

BOMBAY CASTLE, 29TH OCTOBER 1825.

By the Hon'ble the Governor in Council.

No. 321 of 1825.---Lieutenant J. K. Gloag of the 2d Grenadier Regt. Native Infantry having produced a Medical Certificate in proof of the necessity of his proceeding to England for the benefit of his health, the Hon'ble the Governor in Council is pleased to grant him a furlough on that account for a period of three years from the date of his embarkation.

No. 322 of 1825.---An order by Major Sale, of His Majesty's 4th Dragoons, dated Camp Asubjee, 6th October, directing all reports and returns to be made to Major Gerrans, of the 19th Regt. of Native Infantry, the Senior Officer in the North Districts of Guzerat from the 7th instant; is confirmed by the Governor in Council.

Bombay Castle, 29th October 1825.

No. 323 of 1825.---The Governor in Council is pleased to make the following temporary appointment.

Ensign W. N. Ralph, of His Majesty's 2d or Queen's Royals, to act as Interpreter in Hindostanee to that Regt. from the 17th instant, until further orders.

No. 324 of 1825.---Captain J. H. Dunsterville, Assistant Commissary General, is permitted to proceed to the Malabar Coast on his private affairs, for a period of three months from the date of his departure.

Bombay Castle, 31st October 1825.

No. 325 of 1825.---Lieutenant Wm. Wade of the 1st European Regiment, having produced a Certificate of the necessity of his proceeding to Europe for the recovery of his health, the Governor in Council is pleased to grant him a furlough on that account for a period of three years from the date of his departure.

Bombay Castle, 1st November 1825.

No. 326 of 1825.---The Hon'ble the Governor in Council has been pleased in the Judicial Department, to grant leave of absence to Lieutenant Maut, Commanding the Sebundy Corps in the Northern Concan, to proceed to the Deckan on sick certificate for a period of three months, and to appoint Lieutenant Hankes of the 20th Regt. N. I. to act for him during his absence.

Bombay Castle, 3d November 1825.

No. 327 of 1825.---Assistant Surgeon Machell is relieved from the charges of the Medical duties of the Amherst Cruizer and will proceed to Mocha on the Palinurus.

No. 328 of 1825.---The Hon'ble the Governor in Council is pleased to appoint Lieutenant Colonel F. H. Pierce of the Regiment of Artillery to be Commissary of Stores at the Presidency, vice Lieut. Col. Hodgson, resigned.

By Order of the Hon'ble the Governor in Council,

W. NEWNHAM.
Chief Secretary.

EXCHANGE.

On London, 6 mon's. 1 | 10*d*. to 1 | 11*d*.
Calcutta. 90 Days 102 B'y Rs. per 100 Siccas.
Madras..30 ...do. 97 B'y Rs. per 100 Madras.
A five per cent loan open.

Otways popular Tragedy of VENICE PRESERVED will be performed at the Bombay Amateur Theatre on Thusday the 17th Instead of Friday the 18th Inst. as noticed in the Chronicle of yesterday; the performance to commence at 8 o'clock.

THE GAZETTE.

BOMBAY.

WEDNESDAY, 9TH NOVEMBER, 1825.

By a letter from Saugor just received we have obtained the following imformation.

The H. C. Surveying Ship Discovery arrived at Saugor on the 18th or 19th of October with the Bishop of Calcutta and family all well.

It is considered extremely probable, that Mr. Robinson will return in the Discovery to this place as Archdeacon.

In her passage from Ceylon; the Discovery encountered a heavy gale of wind, and afterwards picked up 30 people in a small boat belonging to the Lackadives; the vessels to which they belonged having foundered in the gale. No parlicular were stated.

It is said, the British resident in the Persian Gulph, has been directed to order, that all vessels proceeding from the Port of Sharga, be treated by our cruizers as pirates, unless the Sheik causes immediate restitution of the property seized by his people, in boats belonging to the Imaum of Muscat and the Sheik of Bahrein.

By the last arrival from the Gulph we have been informed, that Colonel Stannus had made his visit to the Prince of Shiraz, who received him with every mark of attention and respect.

The contending armies of Bhurtpore, are daily giving fresh proofs of a firm determination, to decide the right of sovereignty by fire and sword. Nothing but anarchy and confusion reigns throughout the country; and in the vicinity of populous towns, most of which are well fortified against a native force, war rages with all the virulence of personal animosity, and asperity of party feeling peculiar to civil dissensions; many desperate battles have been fought with various success, which renders it difficult to conjecture in whose favour the contest may terminate, or where the spirit of hostility may not extend.

Many of our readers may recollect an account, we published in a former number, of the people inhabiting Colapore and its vicinity; their disposition to encroach on the neighbouring states; and the plundering and piratical habits in which they freely indulged, till the British Government taught them that however long the practice had existed, our policy admitted of no prescriptive right to the prejudice of mankind. These wholesome admonitions aided by occasional arguments calculated to produce conviction, for a time had their desired effect; but the turbulent spirit of the Raja has ever borne restraint with an ill grace, and after many demonstrations of a wish to resume his former lawless system, and repeated acts of annoyance, he has been weak enough to evince hostile intentions by assembling his troops and repairing his fortifications, in open defiance of every friendly remonstrance on the part of those authorities, to which the surrounding country has hitherto been indebted, for the enjoyment of security, against rapine and murder.

This breach of compact, we have been informed, has compelled the immediate preparation of a very considerable force in the neighbourhood of Colapore; and we are happy to find, it will be of such a nature as to leave little chance of a second lesson ever being required.

The proposals for establishing an Armenian college, alluded to in our last number, will be found in a following page; and we feel confident, that an institution of so laudable a nature, will meet with every encouragement that can be expected by its most sanguine supporters, from the members of the Armenian church resident in Bombay.

Probably the present age surpasses every other, as much in a desire to extend the circulation of knowledge, as in the variety and superiority of its nature; and we are extremely gratified to observe an increasing emulation, but with regard to our own country, which, without incurring the charge of national prejudice, we may style pre-eminent in advocating universal education, it is much to be regretted that the charm of novelty too often interferes with the interests of established seminaries, for while liberal donations are not wanting to form new foundations, we are constantly hearing of neglect impoverishing the funds of those, which have the additional claim of approved practice, to warrant a further support of the speculative plans which first gave them birth.

We should be sorry to cast a shade over any transaction, which bears the character of

philanthrophy, but the mere ostentatious subscriber to new institutions, somewhat resembles the profligate, who boasts of giving existence to a numerous progeny, which is afterwards deserted to seek a support in the precarious donations of charity, or expire from want.

The project of a navigable canal, to open a communication between the mediterranean and Red seas, seems to be still in contemplation, as a commissioner from the British Govt. was lately expected at Cairo, for the purpose of settling the necessary preliminaries. Where the jealousies of a despotic Government are to be encountered, it is by no means easy to foresee what objections may be raised, even against measures which the prospect of mutual advantages might suggest, and the wisest policy approve. We are therefore far from being sanguine as to the result of of any negotiations with the Government of Egypt, relating to this desirable object, the merits of which, have not always been readily admitted even by English theorists, many of whom seem to consider the chances of the plague being introduced into this part of the world, and the time required for quarantine, more than sufficient to balance every anticipated advantage, from this direct intercourse with Europe. As to the risk of importing disease, we believe the Levantines have the strongest reasons to dread unfavourable effect from opening a traffic with us. Our climate is said to risist the *plague*, while in return for olives, hones and Turkey figs, our freights might be accompanied with a liberal supply of *Cholera Morbus*, which appears to be of a less delicate constitution, and calculated to thrive under either zone with equal success, *maugre* the exertions of esculapian skill, or the absence of *ooze rice*.

The following paragraph will be interesting to most of our readers.

HOUSE OF LORDS, JUNE 27.

INTEREST ON MONEY IN INDIA.

"The Judges being in attendance, on the motion of the Marquis of HASTINGS, Lord Chief Justice Best rose in the absence of Lord Chief Justice Abbott, to deliver the opinion of the twelve Judges on the question that had been propounded to them relative to the Act of Parliament (13th Geo. III.) which regulated the taking of interest on money in India. His Lordship observed, that the twelve Judges were unanimous in their opinion, that that Act did not extend to British subjects negociating loans with the native Princes in India, that were not within the dominions of the East Indian Government, and that therefore their opinions were in favour of the present Bill. His Lordship observed further, that 13th of Geo. III. was a Penal Act, and that it was a sacred rule in law never to extend a Penal Act of Parliament beyond the letter of it, in order to prevent the establishment of constructive offences. The Laws of Usury were regulated by the value of money, and there were no means of ascertaining what the value of money in the upper provinces was---even as far as they had legislated, there were four different rates of interest of money, one for England, one for Ireland, one for the West Indies, and for our own dominions servations, in which his Lordship was nearly inaudible, he concluded by repeating the opinion of the Judges as favourable to the Bill then before their Lordships."

"The Marquis of HASTINGS rose and observed, that, after the luminous opinion which their Lordships had just heard delivered, he would content himself by simply moving the second reading of the Bill, explanatory of the 13th Geo. III, relative to the rates of interest on money in India.—The Bill was then read a second time."—*New Times, June 28.*

BOMBAY.

ARRIVALS.—Ensign S. J. Stevens, 29th Regt. N. I.
Capt. Pringle.
Ensign D. C. Graham, 19th Regt. N. I.
Lieut. Warrington, 6th Regt.
Capt. J. W. Watson, Artillery.
Lt. Phillips, 22d Regt. N. I.
Lt. McIntosh.
Lt. Thomas, Bk. Mr.
Captain Hewitt, 6th Regt. N. I.
DEPARTURES.—Ensign H. Aston, 10th Regt.
Major Hardy, Horse Artillery.
Lieut. Stewart, 24th Regt.
Lt. Col. Comdt. C. Hodgson, Horse Brigade.
Ensign S. J. Stevens, 29th Regt.
Lieut. J. K. Gloag, 2d or Gr. Regt.
Asst. Surgn. A. J. Montefiore.
Ensign George Richardson, 7th Regt. N. I.

NAUTICAL CHRONICLE AND NAVAL REPORT.

BOMBAY.

ARRIVALS.---None.

DEPARTURES.---Nov. 3d, Ship Bombay Castle, Wm. Durant, Commander, to China.

5th. Ship La Constance, A. Regnaud, Commander, to Tellicherry and Mauritius.

6th, Ship Lady Kennaway, (Free Trader,) Thos. Surflen, Commander, to London.

8th, Ship Dorothy, (Free Trader,) James Garnock, Commander, to Liverpool.

Passengers by Lady Kennaway.—Mrs. Pepper and 2 Children, Lieut. Kingston, Lieut. Gloag.

Per Dorothy.---Mrs. Bird and 2 Children, Mr. Stoqueler.

SHIPS LOADING.

English.---Cambridge, for London.
James Sibbald, for ditto.
Britannia for ditto.
Grab Cadery, for Mocha.
Arab.--- Psyche, for Persian Gulph.
Fazarobany, for Calcutta.

CALCUTTA.

ARRIVALS.—Oct. 13th. Ship William Miles, S. Beadle, from England 16th May and Madras 2d October.

14th. Arab Ship Tauje, D. Stirling, from Bombay 11th and Alepee 25th September.

15th. Ship Elizabeth, J. Mackenzie, from Madras 1st and Masulipatam 3d October.

16th. Ship Columbia, J. Chapman, from Liverpool 1st June and Madeira 1st July.

French Schooner Mauritius, Ligour, from Rangoon 26th September.

21, The H. C. Cruizer Discovery, Lieut. George Barnes Brucks, from Ceylon.

The H. C. Ship Research, Captain W. L. Clements. from Arracan 12th October, and the French Ship Pacifique, Captain H, Borgne, from Bordeaux, and Pondicherry 8th October.

The Ship John Taylor from Liverpool.

The Sea Horse, Pilot Vessel, passed a Wreck in the Eastern Channel supposed to be a Malmen picked up at Sea by the divia Boat---13 Discovery.

Per William Miles from London:—Mrs. W. B. Bayley; Mrs. Pattle; Mrs. Govan; Miss. Sneyd; Millett, Esq. C. S.; William Henry Woodcock, Esq. Writer; A. Spiers, Esq. Ditto; Messrs. A., G., and E. Master, Cadets.

From Isle de France:—Mrs. Saunders; and two Children; Miss Eliza Saunders; and C. Saunders, Esq. Merchant.

Per Tauje:—Mrs. Stirling and Child.

Per Elizabeth, from Cochin:—Mr. Hill and two Children.

From Madras:—Messrs. W. J. Duncan, H. Erving and H. Miller.

Per Columbia from Liverpool:—Miss Rushton Mrs. Eliza Ann Samey; Mrs. Swan; Mr. Swan, Missionary; Mr. T. Samey; Merchant; and J. M. Gledstane, Esq.

LIST OF PASSENGERS.

Per H. C. Cruizer Dicovery, from Ceylon.---Bishop Heber and Family, Rev. James Robison, Dr. Smith, and Mrs. Smith.

Per H. C. Ship Research from Arracan.---Brigadier General J. W. Morrison, C. B.; Captain F. Hawkins, A. D. C. to do.; and Capt. J. Dickinson, Mug Levy; Mr. R. Verling Assistant Surgeon H. M. 44th, Mr. Grime ditto ditto 1st Light Infantry Battalion; and Mr. Bell ditto ditto 62d Bengal N. I.; Lieut. Smith, Sub-Assistant Commissary General; Lieutenant Watt, 27th Bengal Infantry Battalion; Lieutenants Corri, Boscowen, Boswell, Cragie, and Winter, 2d Light Infantry Battalion; Mr. Charles Bidwell, Free Mariner.

DEPARTURES.—16th. French Brig Buffon, A. Garnot, for Bordeaux.

Ditto Larkins, H. R. Wilkinson, and Coromandel, Thomas Boyce, for London.

21st. The English Ship Phœnix, Captain E. H. Cliffe, for Arracan, and the Susan, Captain G. Stoart, for Arracan.

MADRAS.

ARRIVAL—October 22d, Ship Reliance, Captain J. Hunter, from Rangoon 25th September.

24th Ship King George the Fourth, Capt. P. Butler, from Calcutta 10th October.

DEPARTURES.—Oct. 21st, Ship Kingston, Capt. Bowen, for Calcutta.

Do. Brig Kent, Captain T. L. Symers, for Ceylon and Malabar Coast.

Do. Brig Minerva, Captain J. Norris, for Rangoon.

MARRIAGES, BIRTHS, AND DEATHS.

BOMBAY.

MARRIAGE.—On the 7th inst. Jane Goss Richards Captain in the Military Service to Catharine Foquest.

BIRTHS.—At Broach, on the 20th September last, the the lady of Wm. Stubbs, Esq. Acting Judge, of a Son and heir.

On the 3d inst. the wife of Mr. John Fernandes of a Son.

DEATHS.—At Chanda near Nagpore, on the 2d of October, the Infant Daughter of Assistant Surgeon A. Montgomery, Bombay Medical Establishment.

On the 22d ult. Pestonjee Eduljee, Chief Interpreter of the Mahratta and Guzerattee Languages to the Honorable the late Recorder's Court of Bombay, aged 67 years and five months. He had been a man of the most pious disposition, and retired from the Service but a short time before his death, to consecrate the remainder of his days to his Creator, with prayers that terminated with his life. He has left a disconsolate widow and three grand-children to deplore his death, and his loss is deservedly regretted by a large circle of Friends.

At Kutch Mandavie, on Wednesday the 26th October, in the 56th year of his age, at his Residence, Sayah Mahomed Audut, one of the most respectable Natives of that Place, Sayah Mahomed Audut had extensive dealings here and at Kutch, and was Contractor of Horses to the Madras Remount Department at this Place. After having spent some years at Bombay, he returnded to his Native Land to enjoy a repose from the toils attendant on those of his pursuit

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Government of Maharashtra
on 28 June, 2017

his design, by cutting short his career in life. Sayah Mahomed Audut as a friend was affectionate, and as a Companion agreeable and condescending; and although favorite of fortune, without those supercilious airs which wealth generally makes the possessor assume over his less fortunate Brethren. He lived respected among his neighbours, and died regretted by his friends and relatives, of whom he has left numerous circle behind to bewail his irreparable loss.

On Tuesday, the Ist November, at the house of Mr. J. A. Tomlinson, Mr. Sub-Conductor Nicholson, of the Commissariat Department, aged 38 years.

HE DIED,
AS EVERY BRAVE MAN WILL,
CALMLY.
HE DIED,
AS EVERY GOOD MAN WILL,
BLESSING HIS FAMILY,
HE DIED,
AS EVERY CHRISTIAN WILL,
WITH PERFECT RESIGNATION.

At the Presidency, on the morning of the 3d inst. Captain Gilbert Melville, 1st Regt. Bombay Light Cavalry. This gentleman has arrived only three weeks from his native country, to return to that service in which he had passed sixteen years of his life, much to his honour as a public servant, whilst his associates looked to a renewal of that friendship for which he was so much distinguished. By his Brother Officers he will be long and most deservedly regretted, as well as by all who knew him. The high respect paid to his remains will be some consolation to his friends, if only as a proof with what feelings all ranks regarded him.

At Rampart Row, on the 7th Inst. Anna Maria Louisa, the Infant Daughter of Robert Baxter Esq. aged 22 months and 3 days.

At Poona on the night of the 4th November, Mr. Troop Quarter Master Thomas Tiernau, of the 2d Troop Horse Artillery aged 31 Years, to offer any inconvience either on the private or public character of this lamented man would be Superflouous, suffice it to say that he was much respected and beloved by all who had the plea-
ure of his acquaintance, he has left a widow,
nd child to bevail his loss.

" Death like an overflowing Stream"
" Sweeps us away our life's a dream"
" An empty tale or morning flower"
" Cut down and withered in an hour."

CALCUTTA.

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ficer, who writes, "Never did I see an Officer more deeply regretted by his fellow Soldiers of all Ranks."

On the 13th Oct. at his house in the Bow Bazar, Mr. William McKintosh, Head Assistant in the Excutive Commissariat Office, deeply regretted by his friend and relations.

On the 17th, Mr. John D'Souza, an old Resident of Cossimbazar; most sincerely and deservedly regretted by his relations and friends--aged 55 years.

On Tuesday, the 18th October, of Fever, Mr. James Bying Bone, Assistant in the House of Messrs. Joseph Barretto and Sons, aged 22 years,---sincerely regretted.

MADRAS.

BIRTHS.—At New Town, Vepery, on Friday the 21st October, Mrs. R. Engels, of a Son.

DEATHS.—At Madras, on Sunday. the 23d October, 1825, Mr. Felix Leroux, aged 19 years.

CALCUTTA.

THE INDIA GAZETTE.
THURSDAY EVENING, OCTOBER 20, 1825.

Yesterday's Report announced the arrival of the Ship *Carn Brea Castle*, Captain F. DAVEY, from Portsmouth the 5th of July. Here follows the list of her Passengers:—

Mrs. Bordieu; Mrs. Hawes; Miss Holgate; Miss Littlejohn; Captain Bordieu; Captain Young; Captain Codnel; Lieut. Smith; William Hawes, Esq.; Messrs. Harry, Ross, Teldwick, Sheikburgh, Sorey, and Butler.

October 3d, passed the *John Taylor* from Liverpool, Latitude 2 57' South, Longitude 84· 8' East.

Yesterday's Report also announced the arrival of the H. C. Ship *Broxbornebury Castle*, Captain James Fewson, from London 5th June, and Madras 5th October.

Passengers.—From Madras: Brigadier Col. C. Grant, and Captain Edward Evanson, of H. M. 54th Regiment; Lieut. Alexander, 7th N. I.; G. A. Bushby, Esq.; Mrs. Bushby; Miss M.K. Bushby; Miss Snow, and E. McNaghten, Esq.

On the 27th June, the Emperor of Brazil's frigate *Perangá* anchored at Spithead, bearing the flag of the Marquis of Maranham, (Lord COCHRANE), Admiral of the Emperor's fleet. His Lordship landed in the forenoon, and was warmly greeted by the people. His Lordship was to proceed immediately to London.

The Hon'ble the Court of Directors, we understand, have appointed J. H. HARINGTON, Esquire, (now in Council,) a Member of the Supreme Council; and W. B. BAYLEY, Esquire, a Provisional Member of Council.

On the evening of the 2d July, the Duke and Duchess of NORTHUMBERLAND and suite landed at Dover, amidst the cheers of an immense multitude.

On the 1st of July, a numerous and highly respectable meeting was held at the City of London Tavern, to take into consideration the plan and objects of the new University to be established in the metropolis. We have not had time as yet to peruse the proceedings; but from the great degree [illegible]tention the object appears to [illegible]terest that the wealthy middle classes have in establishing such an Institution, and the great benefits likely to result from it, we have little doubt of the success of the project.

By accounts from Naples, 9th June, received in London 2d July, it appears that the Austrian Army of Occupation is to be reduced to 1,200 men.

The new Romance by the Author of Waverly, called *The Crusaders*, is out, and said to sustain the fame of its author.

Among the extracts which we have hastily made from the few papers that have reached us, is the trial of *Stockdale* the infamous publisher of infamous memoirs, for a Libel. His defence is a miserable tissue of audacity and nonsense, and is in fact no defence at all. He was cast for 300 £ sterling. More trials we doubt not will follow.

GOVT. GAZETTE OCT. 20.

Bhurtpore.—Letters from Agra, dated the 5th Instant, report that DOORJUN SAUL's troops recovered their position before Kamur, which place they have again invested with a large force, and the battering has recommenced.—Several actions have been fought with various succes.—The most severe loss has been on the side of DOORJUN SAUL, but MADHOO SING's Troops are apprehensive that they will not be able to maintain their position against the superior force and resources of DOORJUN SAUL.—A number of Chiefs have fallen in the late actions amongst others a J'hat Surdaur, in the service of DOORJUN SAUL.—MADHOO SING is said to be seriously unwell, which he states as a reason for not heading his troops.—He has closed the Gates of Deeg, and mounted guns, prepared to resist an expected attack.

BENGAL HURKARU, OCT. 21.

On Friday Evening June 1st, Dr. Lushington presented a petition of the House of Commons, relative to the Deccan Prize money. The Chancellor of the Exchequer took the opportunity to defend the conduct of the Duke of Wellington and Mr. Arbuthnot, which had been attacked, and was succeeded on the same side by Sir Henry Hardinge in a furious speech; an immense deal of bickering and altercation then took place which ended, by explanations on all sides, and by the Speaker's bearing testimony that no offensive language had been used, a point, which without offence to the Speaker, we think the feelings of individual gentlemen can best decide for themselves.

We would have given the debates to day, as they relate to a subject necessarily so interesting to the Indian Army, but in fact nothing whatever took place except the quarrelling above mentioned. We therefore postpone them for more interesting matter.

In the Court of Kings Bench on Wednesday the 23d June, the Attorney General shewed cause against a rule obtained some time before by Mr. Brougham the counsel for the Plaintiff in the case of Buckingham *versus* Bankes, to have the trial postponed on account of the absence of a material witness in India.

The Attorney General stated that both the Plaintiff and the defendant had obtained commissions to examine witnesses abroad; that the Plaintiff had not availed himself of his commission to examine witnesses in India; that in the meantime the defendant had sent out and examined some persons on interrogatories, and had brought two persons from Syria, and whom he had been supporting in London since October at a great ex-

these grounds to discharge the rule obtained by Mr. Brougham.

The Court after asking Mr. Brougham, whether the Plaintiff would undertake to pay the expense of the Syrian witnesses, to which Mr. Brougham replied that he must consult his client, ordered the rule to be discharged unless the expenses so incurred by the defendant were discharged.

We copy the following paragraph from the Morning Chronicle of the 2d July: "By the last returns that have been received from the different recruiting parties throughout Great Britain and Ireland, it appears that upwards of 4000 men have been enlisted for the British Regiment now serving in India."

In the House of Commons, on Tuesday Evening, June 21st, Mr. J. Smith presented a petition from a body of Unitarians, praying the House to institute a full and efficient enquiry into the law with a view of affording them relief. This petition was occasioned by the triumphant declaration of the Chancellor, on the debate on the Marriage Bill (an exultation every way worthy of him,) that Unitarianism was an offence at common law. This declaration of the Chancellor has filled the unitarians with very unnecessary alarm; for on these subjects the Chancellor is very like Philip, when drunk, and an appeal would lie to himself in his cooler moments. The 53d Geo. 3d, repealing certain acts of William and Mary exempts Unitarians from the penalties to which they were before liable, and left no offence at common law, but *the denial of Christianity*. The 3d Geo. IV. has so fully explained what Christinity *legally* means, that the unitarians need be under no apprehension of being deemed to deny it.

On the same evening the second reading of the bill to amend the law relating to spring guns and to make the setting of them in the *day time* to protect *game*, unlawful, and to declare those causing death by so setting them guilty of manslaughter: was read a second time on the motion of Mr. Tennyson; it was opposed by Mr. Stuart Wortley who complained of the manner in which the Lords treated his game bill. The second reading was carried by a majority of 12, the number being Ayes. 39 Noes. 27. As it is in favour of the poorer classes, and in restraint of an aristocraticle and odious privilege, we need not doubt of its fate in the upper house.

We have copied to-day from the English papers, a conversation which took place in the House of Commons, respecting Sir Robert Wilson, and we are happy to see, that there appears a cordial feeling amongst all parties for the restoration of the gallant officer to his former rank in the army. We suppose that the observations made, were intended more as hints of the opinion of the members of the house, than a wish to found any proceedings in behalf of Sir Robert, leaving his restoration to his rank in the army, to the grace and favour of the highest personage in the state. We shall be happy to see the suggestion which has been thrown out, acted upon, for whatever opinion may have been formed by some parties of the political conduct of Sir Robert Wilson, his character as a brave, chivalrous soldier has never been impeached.

BENGAL HURKARU, OCT. 15.

PROPOSED ARMENIAN COLLEGE IN LONDON.

Train up a child in the way he should go; and when he is old, he will not depart from it.—PROV. xxii. 6.

Shiraz, Jan. 1, 1825.

friend, Mr. Martirose Mackertich David, I take the liberty of writing to you, although I never had the pleasure of seeing you.

You will have been informed by Mr. Martirose Meckertich David, of my pursuits (*a*) in this country. I was sent by Henry Drummond, Esq. Banker of Charing Cross, at London, and by John Bayford, Esq. Procter of Doctors Commons, London, to Palestine and Persia, to proclaim the Gospel of Jesus Christ to the Jews in Syria and in Persia.

During my missionary labours as well in Palestine, as in the Persian Gulph, I had opportunity enough of becoming acquainted with many individuals of the honorable Armenian nation, and to appreciate their work and their zeal for the case of civilization and religion. But I had at the same time opportunity enough to look with sorrow and heaviness of heart upon the destruction which the Missionaries of Rome have caused among the Armenian nation. I was at Rome for two years, and I became during that time thoroughly convinced that it is neither the desire of the Pope himself, nor the wish of his Court, to promote among the nations the knowledge of the Gospel of Jesus Christ, which knowledge is the only knowledge which maketh men wise unto salvation. I say, this is not the wish of the Pope and his Cardinals, but they only labour for the establishment of the worldly, of the *political* existence of Popery! and to Popery it is to which they made so many proselytes among the Armenian nation, and excited strife and contention among the Armenians themselves, and excited vain disputations, as the Apostle calls it.—Dear Sir, it is not my intention of gaining proselytes for any particular Church, for I consider all those, who have Christ the foundation of their faith, and who are baptised in his name, as brethren, yea beloved brethren in Jesus Christ, who is over all, God blessed for ever! My only wish and desire is, as much as the Lord enables me to do so, to assist the Armenians in their pious and zealous endeavours of disseminating among their nation more abundantly the knowledge of the Gospel, and the light of civilization.

I have read the history of your Mesrop, whose name I cannot mention without being overpowered by a feeling of veneration towards that Man of God. He was a giant in the cause of Christ. He gave you the Scripture in the language of your nation, and he travelled about and established Schools. And one may say, that the Armenians owe, after God, to the labours of Mesrop, that after him a Nierses Clajensis edified the Armenian nation by his pious writings & by the composition of his prayers, following the example of Mesrop, I have established by the assistance & grace of God, & with the assistance of English & Armenian friends two schools, one at Bussorah, and the second at Bushire, where the Armenian boys and girls are instructed in the word of God, and in both the Armenian and English tongues, according to the system of Bell and Lancaster. And although these two schools are erected for the benefit of children of parents of all denominations, it most be said to the credit of the Armenians of both places that both schools, as well that of Bushire as that of Bussorah, are now chiefly occupied by children of Armenian parents, I hope and trust by the infinite mercy of God, that both schools in the Persian Gulph will provoke to a holy jealousy parents of other denominations and that both schools will in future time spread abroad the light of the everlasting gospel, and the light of civilization from the Persian gulph even to the land of the Afghaus!

And as these children are instructed in the gospel of peace, they will one day not promote strife and contention but rather peace and good will toward their countrymen and toward their fellow creatures, and they will become mighty and valiants opposers of the usurper, I mean to the romanists; but having considered the advantage of an Armenian college I, several months ago proposed to my friends and patrons in England to assist the Armenian nation in establishing such a college for Armenian children, in London itself: you have undoubtedly experienced the progress the Armenian catholics (*b*) at Venice have made, by having a college established upon European soil, when they enjoy the protection of European laws and Government. But Mekhithar, the founder of the Armenian college at Venice was obliged on his arrival at Venice to deny his church and to embrace the Romish religion, this will not be the case of those armenians who may be inclined to establish a college in London you will have their the privilege of being allowed to give to your children an evangelical and scientific aducation, without being obliged to profess yourselves to be members of the church of England or to acknowledge the authority of any other Patriarch over you, than that of your own nation, viz. the Patriarch of Etchmiatzim; for Englishmen know, and are convinced that neither the name of an Englishman, nor that of an Armenian leads to heaven, but the experimental knowledge of Jesus Christ alone. You will by the laws of England, be allowed to preserve your ancient Liturgy, and rights of your Church, and your established discipline, and *national Character*, and at the same time enjoy all the benefits of English education and science!

The Armenians at Venice, although professing to be *Catholics*, are persecuted and *anathematized* by the pupils of the Propaganda of Rome, on account of their numbering Johannes Oznensis among the Saints! Th[illegible] will not be the case in England. You ma[illegible] boldly write that Mesrop, Nierses Clajen[illegible] the Shinorhali, Oznensis, patriarch Eph[illegible] are true servants of Christ, without bei[illegible] thematized by the Church of Eng[illegible] mit me, therefore, to mak[illegible] proposals.

I. It is proposed, th[illegible] cutta should form[illegible] persons, to c[illegible] an Arm[illegible]

(*a*) Fo[illegible]uis of the Red. Mr. Jo-

(*b*) Th[illegible] chi ar in[illegible] Messeng[illegible]

the Crown was not to be restrained, but it belonged to either house of Parliament to make propositions of this kind in the nature of advising.

Mr. Canning would not undertake to argue on the points of professional knowledge in issue between the hon. and learned members; but conceding all which had been urged by the hon. and learned gentleman who spoke last, he found the argument conclusive against agreeing to the resolution proposed by the hon. and learned member for Winchelsea, because it would lead to a particular motion upon every act of judicial promotion by the Crown, if once adopted by Parliament. The monition, if any were needed, ought to be conveyed directly, not, as here, as a side-long hint, as to the proper exercise of the discretion, which, all agreed, ought to be left with the Crown. He reminded the house of the question started at the time of the Regency, about the creation of Peers. It was thought that the authority of creation ought to be suspended. It was then proposed that there should be an exception reserved in favour of instances of peculiar military merit. Both sides of the house, however, felt that whatever else was questionable, this would be wrong; as it would become the practice—nay, almost the duty of the house, to investigate each particular case in which the Crown might bestow any mark of merit. If restraint must be, it ought to be effected by a law, that the Crown might know the limits left to it. If it were to be left to the discretion of the Crown, that could only be called in question by the censure of Parliament called forth upon the responsible advisers of the Crown in any case of gross abuse. But no case would be suffered to pass without provoking the discussion of the house upon it, so long as it was left by the resolution as the right or duty of the house, or of any member of it to find fault with the promotions made by the Crown.

Lord Althorp supported the resolution proposed. The right hon. gentleman (the Chancellor of Exchequer) and his hon. friend had said, that if this object, which was contemplated by the resolution submitted by the hon. and learned gent. (Mr. Brougham), was to be carried into effect at all, it must be by a specific act of Parliament; whereas the resolution as it now stood could serve as a foundation for nothing more than a single clause, in a bill to provide for such an important novelty as was thus proposed, for the preamble of that bill only. But surely it would be very easy to propound other resolutions upon which, in conjunction with this, the bill could be very properly brought in. He differed from those who thought that no such middle step as this could be taken, with the view of introducing any bill in pursuance of such a resolution: for it would be a bill with the distinct purpose of providing for the greater purity of the administration of justice, by regulating the exercise of a power which it was highly expedient should not be exerted, as it latterly had been (if we understood the noble lord rightly) in the appointment of puisne judges to be chief justices.

Mr. Peel thought, that if the substance of this resolution was to be left to form the matter of the preamble, that proposition was precisely liable to the objections which had been that night suggested on his side of the house. It did not, therefore seen to him to meet these objections in any way; for he denied that there was any middle course of this nature open to them, between addressing the Crown, praying it to abstain in all cases whatever from making any such appointments, and leaving it the discretionary power in this respect which it at present exercised. The noble lord and others appeared to conceive that this was an inconsistency between the right hon. gentleman (the Chancellor of the Exchequer), who had said "If you enable me to make this liberal increase in the salaries of the judges, there is a probability that in the bill to be brought in, a clause will be introduced to regulate the future appointment of chief justices, and perhaps to abolish the practice of nominating them from among the puisne judges," and the hon. and learned gentleman (the Attorney-General) who had argued against that object altogether, in opposing this resolution. (Hear.) Now he (Mr. Peel) denied the imputation of inconsistency in this case. The common object of his right hon. and of his hon. and learned friend was, that instead of judges being appointed in future (as had been the case generally during the last 25 years) not until they were upwards of 50, or perhaps 60, years old, this liberal increase might induce able and meritorious men to come forward for these most important offices while they were yet in the prime of life---as from 40 or 45 to 50 and upwards. He perfectly agreed with his right hon. friend in thinking that there was no middle course between leaving the prerogative of these appointments unfettered in the hands of the Crown, or this house's addressing the Crown, requesting it to withhold altogether the exercise of such prerogative: and undoubtedly the House of Commons had the power, if it should see fit to do so, to prepare and present an address of that nature. It was not a little singular, that while the hon. and learned gent. opposite had found so much fault with the hon. and learned gent. on his (Mr. Peel's) side of the house, for having adduced in his speech no examples but of a private kind, no instances but particular ones; that hon. member's (Mr. Brougham's) own address was almost entirely confined to the single case of Mr. Baron Garrow, whom he described (and every body must admit with great justice) as a man of the highest talent and learning; and who ought, in the hon. and learned gentleman's opinion, to have been raised to the chief justiceship. But the fact was, that to cite instances of this sort was only to provoke discussion on the appropriate and relative merits of existing judges; and both on that account, and because he thought it would be highly inexpedient, to agree to the resolution proposed, he would beg leave to refer to the terms in which it was drawn up or would be afterwards expressed—"Whereas it is expedient to secure the independence of the judges by adequate salaries; and whereas it is inexpedient and injurious to that independence to promote puisne judges to be chief justices and chief barons." Well, but the hon. and learned gentleman himself did not propose to take away absolutely, and under all possible circumstances, this power of appointment. Let it only be exercised," said he. "in cases of rare and distinguished merit." But, supposing this preamble once agreed to, and passed as part of the new law, would it not afterwards be quite impossible for the Crown to promote any person, being a puisne judge, to the chief justiceship, however extraordinary might be his merits and qualifications, without very great disadvantage to that individual? (Hear.) Would it not, under the import of the hon. and learned gentleman's own language; which went positively, and without any exceptions, to declare all such nominations, inexpedient and injurious—would it not be very unfair towards any puisne judge to select him for a promotion that must of necessity, in the face of those terms, appear so invidious? The party's elevation could only suffice to cast a reproach upon his character, and a stigma on his independence. Still, however, there was much in the learned gentleman's (Mr. Brougham's) general reasoning against which he (Mr. Peel) was not at all prepared to contend. But all that he desired to do on this occasion was to show that in a case of this kind there was but one alternative for the house to pursue. If the Crown should ever abuse the power it was invested with in respect to the appointment of judges, it would always be open to the house to proceed for remedy of such a grievance by address. To a resolution like this now submitted to the house, he must strenuously object, as being decidedly unconstitutional. If the house could constitutionally proceed by a resolution of this sort, touching a prerogative of the Crown in a legal matter, it might proceed in a similar manner as to the Crown's prerogatives. And the House of Commons might proceed on the same principle, by address to the throne, in relation to the appointment of almost every individual holding office by its nomination. As to the Chief Baron of Scotland, who had been alluded to the chief justiceship had been offered to that learned and excellent person, but was declined by him on account of his deafness: and as to the hon. and learned gentleman's observation in relation to the present Master of the Rolls---

Mr. Brougham, in explanation, begged to say that his observations applied to chief justices of the King's Bench exclusively.

Mr. Peel was of opinion that the discretion of the Crown in these matters ought to be left altogether unfettered, unless it was meant to be proposed to take it away altogether; in which case a bill for the specific purpose must be brought in, and must pass through both houses of Parliament, where it would of course undergo very considerable discussion. The present resolution provided matter merely for the preamble; its principle would at once limit the prerogative of the Crown, and impose upon it a sort of necessity to consult the House of Commons upon almost every judicial or similar appointment. On these grounds, and considering that the suggestion, carried into effect, would be an unconstitutional one, he should certainly oppose this resolution.

Mr. Hume, in allusion to the appointment of the present Lord Chief Justice of the Common Pleas described it as an appointment which there was not one individual at the bar who did not deprecate. It was most unpleasant to the country, and most disgraceful to those who recommended it to the Crown. (Hear.)

Mr Sergeant Onslow declared that the hon. member for Montrose, so far from now speaking the sentiments of the bar of England relative to the appointment of Lord Chief Justice Best, was uttering these that were exactly the reverse of them. (Hear.) While at the bar, not only was this eminent judge one of the ablest men in Westminster-hall, and at the head of his circuit, and sought after in his own court, and in all the other courts, but he was universally distinguished for his uncommon industry and research. Since he had become a judge, he had manifested the same integrity and application, and that extensive knowledge of his professions that had marked his former career. (Hear.) It was the fashion to attack his lordship in respect of one political trial, upon which he (Mr. Sergeant Onslow) would not detain the house even to offer an opinion; but he could safely assert, that no judge had ever been more calumniated, or had evinced higher character and ability, than Lord Chief Justice Best. (Hear, hear.).

Mr. Denman did not mean to enter into any discussion of the kind upon which the learned sergeant had just ventured, although it might be fairly objected that this proposition for the increase of the judge's salaries, without assigning any definite or sufficient case or scale of distinction, had a direct tendency to draw the house into such a discussion. He agreed with his hon. friend in thinking that the right hon. and the hon. gentlemen who had spoken from the other side were inconsistent. When it was said that if the Crown should make an improper appointment, it would be open to the house to address the Crown for its retractation, he begged to ask whether it would be possible, in the case of an untried judge (against whom there might exist every objection, but who had not yet proceeded to the exercise of his judicial functions), to do so? Ever since the period at which English judges were declared to be irremovable, except by reason of misconduct, no judge had been removed, in England, from his office. Two cases of Irish judges so removed had, he believed, occurred. (Cries of "No.") He thought there had;—one of them had resigned; and the other died;—but in neither case was there any address to the Crown moved in the house

and this was a fact that might demonstrate the futility of the argument made use of by hon. gentlemen opposite on this occasson. When for 120 years the bar had existed in this country without producing any one instance of such an address, it was really treating the house like children to tell them, that in the case of improper judicial appointments, they might address the Throne. He had been very much surprised not to have heard, in the course of the speeches which had been uttered that night, one word said about the Welsh judges. (Hear.) And yet there was one of those judges whom he must declare (from the circumstances connected with his own conduct which that individual had brought before the public), that if the Crown had the power to remove, it could not be justified in abstaining from removing. He alluded to the well-known case of Mr. Kenrick. (Hear.) In Mr. Kenrick's case, he (Mr. Denman) did not find that the power of addressing the Crown had been invoked at all---he did not find that any such course had been adopted, not that any of the servants of the Crown had come down to that house to submit to it the propriety of urging this gentleman's removal. (Hear.) With respect to the proposition now brought forward by his hon. and learned friend, it did seem to him to have met the case which it was intended to meet. But whether, according to the objection of the right hon. gentleman (Mr. Peel), it would be the foundation of a preamble only, or the substance of the whole bill, it would at least have the wholesome effect of giving the Crown a "hint" (as it had been well called) of the opinions of the people on this subject. As to the promotion of Mr. Justice Abbott to be Lord Chief Justice of the Court of King's Bench, he (Mr. Denman) would only say, that had there at that time existed a resolution of the House of Commons to guide the discretion of the Crown, he thought he could have anticipated another nomination. He would even venture to suggest the name, and that was going very far, of the party he was now speaking of; and whose appointment at that period would have given universal satisfaction to the country, to Parliament, and to the bar,---an individual whose name could not be mentioned without exciting in all who knew him the warmest sentiments of admiration and respect---he meant Mr. Sergeant Lens. (Hear, hear.) It was the absence of some such wholesome resolution that had led of late to these appointments of junior judges to be chiefs; a system which evidently must have this effect---that from time to time the influences of hope and fear must be operating on the minds of the puisne judges, to the disparagement of the purity and integrity of justice.

Mr. Wynn confessed that he should have been induced to draw a very different inference from that which the hon. and learned gentleman had just arrived at from the circumstance of there being an instance in a period of 120 years of the removal of an English judge: for he should have concluded from such a fact, not that Parliament had neglected its duty, but that the judges had faithfully discharged their's. (Hear.) A good deal had been said about Mr. Kenrick's case. Why, Mr. Kenrick, as yet at least, had only been prosecuted as a private individual; and he had also been proceeded against as such. There was no indictments against him as a judge: how, then, by possibility, could the Crown have interfered with him in his judicial capacity? By a reference which he (Mr. Wynn) had taken the trouble to make, it appeared that since the year 1700 to the present time, there had been 16 Chief Barons appointed. Now how many of these did the house suppose to have been appointed without being previously puisne judges?—Only five. (Hear.) With regard to Sergeant Lens, he had long enjoyed the honour of his friendship; and he could state that some years ago the chief justiceship of Chester was offered to him, and he declined it. Again, when the vacancy of the appointment that had so often been mentioned to-night occurred, he could state that the health of Sergeant Lens had already began to fail him. (Hear.) He did not know whether the Chief Justiceship of the King's Bench was ever actually offered to the learned sergeant by the administration of the day, but he was very sure that at that time his health was in a condition that would have compelled him to refuse any such offer. (Hear.) Upon the whole, he (Mr. Wynn) really thought that if the resolution proposed by the hon. and learned member for Winchelsea had gone on to declare, that under no circumstances of superior talent, or merit even, should any puisne judge be hereafter appointed a chief justice, it would have been more consistent and reasonable than in its present form, under which, at all events, he felt compelled to vote against it.

Mr. Denman believed that the time the chief justiceship vacancy occurred, Mr. Sergeant Lens was in good health. He knew that the sergeant had refused the solicitor-generalship and the chief-justicesship of Chester; but were these refusals reasons why the chief-justiceship of the Court of King's Bench should not have been given him?

Mr. Brougham, in explanation, said that Mr. Sergeant Lens had expressly stated that he refused the solicitor-generalship on political grounds only.

Mr. Wynn explained also, but in an inaudible voice.

Mr. Abercromby said, the facts on which this resolution was founded were indisputable. Two chiefs, nearly at the same time, had been elevated to that rank from puisne judges. To him this appeared to be a course of appointment highly objectionable. The hon. and learned gent. went on to observe, alluding to Mr. Kenrick's case, that his conduct really appeared to be almost a matter of indifference with the right hon. President of the Board of Control. But was not Mr. Kenrick, whose conduct was now to be judged of, a Judge himself? Had he not himself, in that capacity, to try criminal? And what must be their feelings at knowing that their judge himself was being tried, as he might say, before the Court of King's Bench in the meanwhile. It was certainly a very fit subject to call forth the observations it had called forth from his (Mr. Abercromby's) hon. and learned friends. He concluded by supporting the resolution.

The house then divided, when the numbers appeared---

For the amendment 29 | Against it, 112 | Majority, 83.

At the suggestion of Mr. Scarlett, the further consideration of the report was ordered for Friday next.

The Canada company bill was read a third time, and passed.

The Chancellor of the Exchequer moved that the house, upon its rising, do adjourn to Thursday next.---Agreed to.

The other orders of the day were then disposed of, and the house adjourned at Half-Past One O'clock.

PRIVATE CORRESPONDENCE.

Mont de Marsan, May 15.

A merchant of the name of Guillon, was crossing the large plains, a few miles from this place, called Landes, from which this department receives its appellation; he perceived at a distance several persons approaching, but not being apprehensive of any danger, he did not avoid them. They were mounted on high stilts, which are in common use among the peasantry of this country, and it is almost incredible with what extraordinary speed they move on the sandy surface, with the assistance of these long poles. They soon came up to the merchant and demanded, in an authoritative manner, from what town he had arrived. The gentleman informed them; they then desired him to dismount his horse, and allow one of their companions, who they stated to be wounded and faint with loss of blood, to ride as far as Mont de Marsan. This story appeared improbable, as all the persons who had surrounded him were on stilts; however, fearful that they might resort to violent means, he told them that if one of them would accompany him three or four miles to a small habitation he pointed out where he could send a person to procure another horse, he would comply with their request. During this conversation the individual, whom they appeared to respect as their Chief, fell from his stilts and immediately expired. The strangers now drew their swords, which had hitherto been concealed by their cloaks, and one of them fired a pistol which wounded the merchant, although slightly, in the shoulder. A blow was struck, which had it reached him, would have certainly felled him to the earth, the horse received it on the side of the neck, and immediately set off full gallop. The merchant drew out a large horse pistol, which he had not deemed prudent to exhibit till this moment, fired it, and saw one of the men fall, apparently dead. The merchant arrived at a hut, his horse exhausted with loss of blood, died a few minutes after he had reached it. The gentleman, accompanied by a peasant, proceeded on foot to Mont de Marsan. The gendarmerie immediatety went out in pursuit of these mysterious highwaymen. They found the spot where the scuffle had taken place, the ground being covered with blood but the bodies of the two persons had been carried off or concealed by their comrades. These individuals are supposed to belong to some banditti, who are known to have crossed the Pyrenees very recently, in consequence of being vigorously pursued by some French troops who are stationed in the mountains.

The Rev. C. *Mummery* (the Clergyman charged with felony) arrived at Shields on Wednesday. We understand he has so far recovered his health and spirits, as to be able to amuse himself on his passage by playing on the flute.---*Newcastle Chronicle.*

At Ludgvan, on Tuesday, May 24, Walter Treziz e, aged 71, and on Thursday, May 26, Moses Treziz e, aged 69, died, two brothers of very singular habits. They had been brought up from their infancy as miners, and had lived together in the same cottage in which they died for upwards of 60 years. Being bachelors, they occupied the same bed, and were never known to have slept apart; or to have disagreed in a single instance; they attended to all their domestic concerns without the aid of a female; and, what is the more remarkable, their cottage could vie with any of their neighbours' for neatness and cleanliness. Having been conspicuous for their honesty, sobriety, and industry, in the strength of their youth, they had saved a scanty pittance from their earnings, which was nearly exhausted at their decease; they seem to have been born for each other's society, for nature began to fail in each at the same time and for nine weeks previous to their death, they lay side by side, each, apparently feeling more from the consciousness of his brother's infirmities than his own. The one died about 30 hours before the other. The were interred on Sunday last, by the side of each other in one grave, upwards of 2,000 persons attending the funeral.

Commons, London; 3. to James Millar, Esq. Secretary to the British and Foreign School Society, London, which letter (to James Millar Esq.) you will be so kind to enclose in the letter to Mr. Drummond, and the copy of it to Mr. Bayford.

V. You will be so kind as to write, however, before the departure of those boys, to Messrs. Bayford, Drummond and Millar; but you need not to detain the boys until an answer arrives from these gentlemen, for I know their feelings and sentiments, and am fully convinced that they will do all in their power to realize your project of establishing an Armenian College in London.

VI. If no parent at Calcutta should be inclined to send his child to England, write still to the abovementioned Messrs. Drummond, Bayford and Millar, and state to them the sum of money which the Armenians at Calcutta are inclined to contribute towards the establishment of an Armenian College in England; and desire at the same time Messrs. Drummond, Bayford, and Millar, to collect money in England itself for the purpose, of such a College.

VII. Write a letter to the same purpose to the Right Honorable Lord Guildford at London, and enclose the letter which you write to that personage, in the letters to Messrs. Drummond and Bayford.

VIII. Be so kind as write letters to Lucas Joseph, Esq. in Bombay, to Mr. Mackertich Zorab in Madras, to Mr. Seth Chatoor in Trabriez, to Mr. Petruse Stephanoos in Ispahan, to my friends Messrs. Arratoon and Afrakiel Constantine at Bushere, to the Armenians at Bussorah and Shiraz, and to the Armenians wherever they are scattered, and make known to them the letters of Mr. Martirose M. David and my letter direct to you, and the resolutions the Armenian at Calcutta may have taken.

IX. Write to all your Patriarchs and make known to them these proposals in print; and desire their sanction, and that they should send some of their Bishops to Messrs. Drummond and Bayford to England, for the purpose of taking a house for the use of a College in London, and to collect money for it, and to state to Messrs. Drummond Bayford and Millar, how much the Armenians themselves are able to contribute towards the support of the intended Establishment, and to request, at the same time, the aid and assistance of my generous patrons Messrs. Drummond and Bayford.

X. Desire your friends every where to make the beginning at once, by sending from every place one or to Armenian boys to England.

XI. Write to Messrs. Fisk, King, Goodell and Bird, who are American Missionaries stationed at Jerusalem, and my intimate friends; and make them acquainted with my own, and write to them that they should write to their friends in America, in order that American christians may send their contributions to Henry Drummond, Esq. for the support of the intended Establishment in London; as Mr. Drummond's name is well known to all the Christians in America, they will not have the least objection to send the money to him.

XII. You will be so kind as to print as well Mr. Martirose Mackertich David's letter, as my own letter directed to you, and add to it the names both of us, in order that any Armenian gentlemen, who wishes either to write to Mr. M. M. David, or to myself, may know the direction of both of us.

Gentlemen! I travelled through Misopotamia, and there I passed the mountains of Mahal-Lamea, and the mountain of Shinar. All the inhabitants of both mountains, have been Syrian christains, who were instructed, in former times, by Ephraim Syrus, and by Jacob Nisibenus to pray to Jesus Christ, as the best of parents; just as you Armenians have been taught by Nierses Clajinsis to pray to Jesus Christ as that living fire, who kindles in our hearts the fire of his love. But the mountaineers of Mahal-Lamea, and the inhabitants of the mountains of Shinar, took little care to make their children read the glad tidings of the Gospel; they were pleased for a while with the doctrines of Jesus Christ, but as they were not rooted in them, they were soon offended for the world's sake, when persecution and affliction came; for, alas! they had not root, and their bishops slept, and all the Syrian Christians, residing upon the mountain of Mahal Lamea, turned Musulmans, adorers of that false prophet, who had shed the blood of their ancestors! And the Syrian christians, residing upon the mountain of Shinar, turned to the sect of the yezids. and their candlesticks are taken away: their Bishops and their young men turned yezids, viz: literal worshippers of the Devil! But I hope better things of you, my armenian brethren, you have already taken laudable steps for the purpose of rousing your nation, and to awake among them the spirit of Mesrop and Nierses Clajinsis, and of Gregory Vikayasir and of your Gregory of old. Dear brethren! continue so to do, and you will become a light to all the Christians of the East, and your nation will no longer give ear to the deluding doctrines of Popery, whose servants come among you like wolves among sheep, and lead silly women captive. Teach your children to exclaim, as often as those Agents of the Pope come to them: "Our worship, O Christ! is only for thee!" And you will see how those servants of the Pope will fly away, and leave you at rest. Take courage and establish the College in London, and I hope and trust that the lord will be in it, and will let shine the light of his countenance over those children, who are educated there; and they will be one day among those who will confute the Papists by the demonstration of the spirit; and they will be on that day, when the sun of righteousness shall come, with healing on his wings. I say, that on that great day, your children, educated in the College of London, will be among those, who have shewn to many the way to righteousness, and they will shine as the brightness of the firmament, and as the stars for ever and ever! And the children of Haic will be great before God, great in the Kingdom of God! With many compliments to Messrs. John Arrathoon Aganoor, Arratoon Kaloos, Paul Jordan, and Sarkies Johannes Sarkies,

I remain, Dear Sir,
Your Friend and brother in Christ.
JOSEPH WOLFF. *Missionary.*

MADRAS.

GOVERNMENT GAZETTE, OCT. 27.

According to a Register published in the Madras Gazette of Saturday, the greatest height of the Thermometer in August, on the *Neelgherry Hills* 8000 feet above the level of the Sea, was 63°; the least 54°. In September, the greatest height was 62°; and the least 49°: The fall of Rain in August having been 12,5 Inches; in September 3,4.

At Madras, the greatest height of the Thermometer in August was 95°; the least 80°; and fall of Rain 7,7 Inches: In September the greatest height was 94,8°; the least 81°, and fall of Rain 3,5 Inches.

The Register from the Neelgherries was accompanied by the following communication.

To the Editor of the Madras Gazette.

SIR,

Subjoined is a Register of the Weather on the Neelgherries for August and September, the quantity of rain in both months is 15-90 inches, which together with what was measured to have fallen since May makes total of 39-70 being somewhat above (as I learn from a recent Government Gazette half the average fall at Bombay from 1817 to 1825 both inclusive, the average at Bombay within that period having been about 65 inches. We are here however within the influence of both Monsoons and it remains yet to be decided whether the fall of rain on the Neelgherries in one year equals that at Bombay; I am of opinion that it will turn out to be less here by many inches.

Although the climate of the Neelgherries is universally admitted to be so very salubrious, possessing a temperature perhaps more equal than any other portion of the British dominions, yet I would dissuade medical men from granting certificates to visit the Hills until their patients have *previously secured* a house to dwell in when they do arrive, either by application to the Civil Authority or by reference to any friend on the spot serious inconveniences have, and must continue to be experienced by Invalids who come up to those Hills unprovided with quarters; this is not a climate from which an Invalid can hope to derive the full benefit, if living under canvas, a few hours march transports him from the plains of Coimbatoor to the tableland of the Neelgherries, a transition quite as great as if he were removed in the same period of time from Madras to England, the change is *sensibly* felt by persons in the best health, and *painfully* so by those in a delicate state, unless they are *not only warmly clothed but well housed likewise.*

I remain, Mr. Editor,
Your very obedient Servant,
M.

NEELGHERRIES, 1st October 1825.

"In reference to that part of our correspondent's letter wherein he advises the securing of a house to dwell in on the arrival of the Invalid at the Neelgherries, we are happy to have it in our power to state (and the information is derived from good authority) that Government has the providing of quarters, on a limited scale, for the accommodation of Invalids, in contemplation; and we hope at no distant period to be enabled to congratulate our readers on the realization of this desired for event.—*Madras Gazette.*

EUROPE.

PARLIAMENTARY INTELLIGENCE.

HOUSE OF LORDS, WEDNESDAY, MAY 20.

HOUSE OF COMMONS, FRIDAY, MAY, 20.

The SPEAKER attended the House of Lords to hear the Royal assent given by commission to several public and private bills, the titles of which, on his return, he announced

to the house, and for which see the lords' report.

Mr. L. Foster moved that several committees now sitting above stairs should have permission to sit during the adjournment of the house—Agreed to.

The hon. member also presented a petition from the merchants of Dundalk, praying that the Liverpool dock dues should be reduced by at least 50 per cent.

Leith Docks Bill.

Sir G. Clerk moved the further consideration of the report on the Leith Docks bill.

Lord Archibald Hamilton said, that owing to the importance of this measure, as well for its principle as for the pecuniary interests which were involved in it, he though it called for the serious consideration of the house. The greater part of the inhabitants of Edinburgh and Leith were opposed to it, and for his own part, although he could not move the rejection of the bill, he would vote in favour of that motion if it should be made by any other person. The port of Leith, which was, in fact, a part of Edinburgh, had been put up to sale by the Corporation of Edinburgh, and had been bid for and bought by a joint stock company, who had no local connexion or interest with Scotland. This transaction was not only illegal in itself, but a large debt was due from the docks, 265,000l. which was the subject of a trial now pending. The house had always guarded against interesting by an act of the legislature with the administration of the law by the proper tribunals, and yet this it must do, if the present bill were entertained. He hoped this conderation would have its proper weight with the Lord Advocate, who, however friendly he might be to this bill, was, he trusted, not less friendly to the observance of the law of the land. Although he had not read the whole of the evidence, he was sufficiently acquainted with the facts of the case to justify him in saying that this was the most objectionable measure, and brought forward by the most objectionable parties, that he had ever known, and that he trusted the house would reject it.

The Lord-Advocate, without entering into the merits of the case, for which this was not a proper opportunity, disclaimed any of the responsibility which the noble lord would cast upon him for any part he had taken in this measure.

Lord A. Hamilton explained.

Mr. Hume wished to know how far Ministers were responsible for this measure, which they seemed to have taken under their patronage. It was one of the most shameful barefaced jobs that had ever been brought before the house. He wished, if the Ministers had been in the house, to know distinctly whether Lord Melville had not promised the sanction of the Government to the measure. On the part of those who sent him to Parliament, and on that of the whole community of Scotland, he protested against its further progress. He contended that the corporation, as trustees, had violated the trust which had been repo-ed in them for the public benefit, by making sale of this right to themselves. Instead of borrowing the money they wanted at 4 per cent., they had bargained to secure to themselves a dividend of 6½ per cent. for ever. It was a fact which could not be denied, that some members of the Town Council had sold their shares at a premium of 15 per cent. (Hear, hear.) He was sure that the Lord Chancellor would declare such a transaction to be illegal. His objections to the bill were insuperable; and he called on the house to reject it on these two grounds:—first, because it imposed a burden upon the trade of Leith; and secondly, because actions were pending to decide whether the magistrates had acted legally. (Hear.) The proceeding had already caused much mischief, and received the reprobation of the whole community, with the exception of those who had profited by it, and those were the members of the council. (Hear.)

Sir G. Clerk said that the two hon. members who had opposed the measure had not attended the committee on the bill for a single day. It was not surprising, therefore, that they were ignorant of the measure, which was really deserving of the support of the house. The corporation of Edinburgh had acted throughout the transaction in the most fair and open manner. The real facts of the case were shortly these:—Some years ago the city of Edinburgh incurred a debt of 250,000l. in constructing some docks at Leith. The returns, in the way of dues, were by no means so great as had been anticipated, and the corporation were placed in a state of great embarrassment. Under these circumstances, it was proposed to sell their interest in the docks to a joint stock company. This plan did not originate with the corporation, but with a merchant of Leith. At first the shares were at a discount, because the speculation was considered a bad one; but they were afterwards taken up, owing to the favourable state of the money-market induced by the declared intention of the Bank of Edinburgh to lower its rate of interest, and ultimatey bore a premium of 15 per cent. The transaction, he repeated, was an open and fair one. With respect to the bonus, it was evident that some must be held out to induce the company to enter into the transaction. The only question was, whether that bonus should be provided for by the corporation, or by the trade of Leith. It was determined that the latter would be the best course to be adopted. Six and a half was objected to as too high a rate of interest, but he thought it was as low as could fairly be expected, considering the risk which attended the speculation. He denied that Government had taken up the question, as had been insinuated, with the intention of overpowering all opposition. In conclusion he thought that the transaction had been most beneficial to the city of Edinburgh, and he trusted that the house would agree to the bill.

Mr. J. P. Grant said, that his opposition to the bill did not rest upon any thing which had come out in the committee, but on the broad principle of law. (Hear.) The magistrates of Edinburgh, as trustees of the harbour of Leith, had, in violation of their duty, sold the trust property, and sold it, too, to themselves, and afterwards disposed of their interest on shares at a premium of 15 per cent. Such a proceeding would, he was certain, be declared illegal in the Court of Chancery. It was a proceeding which came within the scope of the Bubble Act, for the corporation had clearly speculated on the getting of an act of Parliament to sanction their conduct. The community of Leith, and of every town on the Leith coast trading with that port, had petitioned against the bill. He called upon the house to reject the unjust and iniquitous measure, and to protect the law of the country, and of a portion of the community which was not represented in that house.

Mr. W. Dundas supported the bill.

Lord Glenorchy protested against the manner in which these Scotch jobs were managed in the committees up stairs, which were, when a Scotch bill was the matter in question, generally composed altogether of Scotchmen.

Mr. Abercromby thought the question before the house a most important one. He had two objections to the bill. The first was, it proposed to transfer the docks to an irresponsible body of persons, who had no interest in the prosperity of the trade of Leith. The second objection was, that the conduct of the magistrates could be defended on no principle of law or equity. They had entered into the transaction for their own benefit, and had been guilty of a gross breach of trust. (Hear.) No member could, in his opinion, vote for the bill, unless he was prepared to maintain that persons acting as trustees had a right to sell the trust property for their own advantage. (Hear.)

Captain Wemyss said that he had attended the committee on the bill on every sitting; and he could conscientiously declare that a more gross job had never come under his knowledge. (Hear.)

Mr. T. Wilson had heard enough to satisfy him that the corporation had acted most improperly. (Hear.) He would therefore vote against the bill. (Hear.)

Mr. Alderman Wood expressed his astonishment at the conduct of the magistracy.

The house then divided. The numbers were—

For the bill, 14 | Against it, 41—Majority, 27.

The bill was therefore lost.

The Irish establishment of manufactories bill was read a third time, and passed.

Ballinasloe Petition.—Breach of Privilege.

Mr. Vesey Fitzgerald brought up the report of the committee on the Ballinasloe petition. This was the cause of a petition presented by Sir John Newport on the 17th of March last, in favour of the Catholic claims, and purporting to be signed by a number of persons at Ballinasloe. Subsequently it was discovered that the document was a forgery, got up by a person named Robert Poer Trench Pilkington; and the persons at Ballinasloe whose names had been subscribed to it, presented a true petition, praying that the house would take the fraud into consideration. The report of the committee now stated, that they had examined Robert Poer Trench Pilkington, who confessed himself the author of the false petition. That he (Pilkington) had got the paper written, affixed false signatures to it, and sent it up to a member of the House of Commons to be presented; sending up, at the same time, a set of resolution said to have been adopted at a public meeting at Ballinasloe, no such public meeting, in fact, having ever taken place. The report further stated, that in the opinion of the committee, Mr. Pilkington, in his examination before them, had made out nothing which could extenuate his conduct.

Mr. Peel said, that it was an unpleasant duty to perform—the recommendation of any measure of severity; but the proof of the fact was so clear, and the offence of so heavy a

description, that he felt himself compelled to move that Mr. Pilkington should be committed to Newgate.

Mr. BROUGHAM, wishing in every case of breach of privilege to act in such a way as would secure unanimous concurrence, was desirous that Mr. Pilkington should be called in, and that the house might hear what he had to say.

Mr. PEEL had no objection to that course, but doubted if it would be quite regular. The offender had admitted the fraud in the inquiry before the committee, and said nothing in extenuation of it.

The SPEAKER thought it right to call the attention of the house to the precedent which he found existing on the subject. In the year 1736, a bill being pending in the house touching some duties upon spirituous liquors, it was complained that a pamphlet had been published out of doors setting forth the provisions of that bill, and commenting upon it. A committee was appointed to examine, which discovered, from the evidence of witnesses, that this pamphlet had been published by a certain servant named Abraham Riley, from the house of a printer named Wm. Rayner. On this report from the committee, the house resolved *nem. con.*—(the offenders not being called in)—that Wm. Rayner and Abraham Riley should be taken into custody of the Sergeant at Arms.

Mr. BROUGHAM—It is stated, in that case, that the persons were examined before the committee?

The SPEAKER.—The words are—Wm. Rayner being examined and the pamphlet shown to him; admitted that it had been printed at his house, but by his servant, and without his knowledge.

Mr. BROUGHAM was rather unwilling to take up, in the way of any precedent, a case which turned upon that severe law, as to the liability of printers. No doubt the law was clear; but it was hard that a man should be answerable for that which his servant might do when he was a hundred miles off or in goal. And, besides, the cases were different, for the house had only committed Reyner to the custody of the Sergeant at Arms without hearing him; it was now meant to send Mr. Pilkington to Newgate.

Mr. V. FITZGERALD observed, that the offender had been heard already before the committee, and that he had nothing to say in his defence.

The SOLICITOR-GENERAL said a few words, which did not reach the gallery.

Mr. BROUGHAM admitted that the examination before the committee rendered a hearing by the house less imperative; but was still anxious that it should be afforded.

The SPEAKER understood the case to stand thus—the house had acted upon the report of the committee as to the establishment of the offence; it was now a question as to the nature of the punishment; and upon that the party was to be heard in extenuation.

Mr. PEEL had no objection to calling in the offender; but thought it not right to press for a sort of apology, when an apology, without some punishment, could not be accepted.

Mr. BANKES said a few words, which were not distinctly audible.

Mr. PEEL, then agreed to wave his objection, and that Mr. Pilkington should be brought to the bar.

After a few words from C. FORBES, which were not audible in the gallery, the question for the commitment to Newgate was withdrawn. It was then put and carried *nem. con.* "that Robert Poer Trench Pilkington be taken into the custody of the Sergeant-at-arms."

Lord STANLEY presented a petition from some proprietors of cotton-manufactories in Manchester, against certain parts of the bill for regulating the labour of children in such places.

Mr. L. FOSTER presented a petition from a gentleman named Balfour, of Slane, in the county of Meath, against certain provisions of the salmon-fishery bill.

Mr. L. FOSTER presented two petitions; the first from the attornies and solicitors of Ireland, complaining of the very heavy stamp duties to which they are subject, amounting to 195*l.* for each individual, before he is allowed to practice in the courts, and also of being subjected to an annual payment of 8*l.* for a licence. The second petition was from certain attornies practising in Courts of quarter sessions in Ireland, complaining of the small fees to which they are limited by the statute. The effect of this statute (the hon. member observed) was to prevent, in many instances, respectable attornies from practising in those Courts.

The petitions were ordered to be printed.

POOR RETURNS.

Mr. T. COURTENAY brought up the report of the committee appointed to examine the poor returns, which was ordered to be printed.

Mr. HUME presented a petition on a subject to which he had called the attention of the house three years ago, and to which he now begged the attention of His Majesty's ministers. It was from several master mariners and ship-owners of London, complaining of the deduction of sixpence per month from the wages of seamen, for the support of Greenwich Hospital. They complained of having merchant seamen subject to this payment, from which they were not afterwards entitled to any benefit. He did not object to the best support being given to that establishment, but it should not be drawn from the pockets of a set of men who derived no more benefit from it than any other portion of the community.

Mr. T. WILSON supported the prayer of the petition, which he thought entitled to the best consideration of Government, as a question of great importance to the commercial navy of England.

After a few words from Sir J. YORKE and Mr. HUME.,

Mr. HUSKISSON said, it should not be forgotten that the public were put to a very considerable expense by supporting, and otherwise providing for, British seamen, when sick, in different ports in Europe.—The petition was ordered to be printed.

DUTY ON RUM.

In answer to a question put by Lord ALTHORP as to whether permission would be given to the English rectifier to rectify rum, and whether any alteration would be made in the duty on such spirit,

The CHANCELLOR of the EXCHEQUER said, it was his intention to propose in the distillery bill before the house, to give permission to the English rectifier to rectify rum if he should so think fit. The duty on the rum, whether in its natural state, or after having passed through the rectifier's still, would be the same. It would be the same as British spirit, with the addition of 1*s.* 3*d.*, making altogether 6*s.* 1*d.*

UNIVERSITY IN LONDON.

Mr. BROUGHAM gave notice, that on Wednesday next he would move for leave to bring in a bill for permitting the establishment of a University in London.

The CHANCELLOR of the EXCHEQUER suggested to the hon. and learned gentleman to name some other day, as it was intended to move the adjournment of the house over to Thursday, instead of Wednesday, of which notice had been given yesterday.

Mr. BROUGHAM, after referring to the book of notices, said he had no objection to name any day which might be most convenient to the house, but he found there was no open day before Wednesday week. He had no objection to naming Friday, provided he had an assurance that it would not be too late to carry the bill through this session.

The CHANCELLOR of the EXCHEQUER was understood to say there would be sufficient time.

Mr. BROUGHAM then named next Thursday. As he did not anticipate any discussion on the introduction of the bill, he would, with leave, move for it on that day, and then some convenient open day could be fixed for the second reading.

JURIES BILL.

Mr. PEEL rose to move the order of the day for the re-commitment of this bill. Before going into the committee, he wished to move an address for certain returns, which would afford further information on the subject. He then moved, that an humble address be presented to His Majesty, praying that there be laid before the house a statement of the local regulation for the selection and impanelling of juries in towns being counties in themselves, and other towns and boroughs in England and Wales.

Mr. SCARLETT concurred in the address, as he was anxious that every information should be given on this important subject.

After a few words from the ATTORNEY-GENERAL, the address was agreed to.

Mr. PEEL said, that before the house went into the committee he wished briefly to restate the principal objects of the bill. The first object was to consolidate the several statutes, about 60 in number, which were now in force, for regulating and determining the qualifications of jurors serving at assizes. These, which were spread over the Statute-book, it was proposed to bring into one act, and also about 20 statutes on the subject of empanelling juries. Another object was to extend very considerably the number of those who might be called upon to administer the law as jurors. A vast number who were not considered qualified as the law now stood, but who were really qualified by property, would be included. Thus all persons being leaseholders of property to the amount of 20*l.* for 21 years, would be considered qualified to act as jurors, instead of confining the qualification, as at present, to those who had a freehold of 5*l.* a year. Another object was to remedy the inconvenience found in some cases, in which a challenge would hold good to the array, because there was not a knight among the number. This he thought a very useless, and it was often found a very inconvenient enactment; he therefore proposed to repeal it. It was also intended to repeal that part of the present law which required, in many cases, that so many jurors should be returned from the same hundred. He thought that justice was more likely to be administered with strict impartiality where men were chosen from different parts, than selected from one particular district. But the most important feature of the bill would be the regulation with respect to special jurors. It would henceforth be required, that in all cases where the Crown was either a real or a nominal plantiff, the special jurors should be selected by ballad. (Hear.) In all criminal proceedings tried by special juries, the same regulasions should be observed; but in civil cases, where a consent in writting was given on both sides (which written consent should be afterwards received as evidence of the agreement between the parties), it would be allowed to select special juries in the same manner as at present; but in criminal cases, the appointment of special juries by ballot would be imperative. These he considered would be important public advantages arising from the bill; for it was of the utmost consequence that a feeling of perfect security and confidence in the trial by jury should be established in the country. (Hear.)

Mr. SCARLETT said he should not do justice to his feelings if he did not offer the tribute of his sincere applause to the right hon. gentleman for the introduction of this most useful measure. It was of the utmost importance that the trial by jury should be made as perfect as possible. One of the greatest blessings resulting from the free constitution of this country was, that the people had, as jurors, the administration of the laws in their own hands, and were thus in a great degree the distributors of the punishment with which the infrac-

tion of those laws were visited. It would be very difficult for a private individual to carry a bill of this importance through the house, and therefore it became a liberal Government to take it up. For the manner in which the arduous task had been undertaken by the right hon. gentleman, and the great labour and assiduity which he evinced to bring it to perfection, he thought too much praise could not be given. He could not say what its effects might be in every case but most certainly he anticipated very beneficial results from its enactment and he would most readily contribute his best support to it in every way in his power.

Mr. PEEL observed, that he felt great pleasure at the manner in which this measure had been received by the house. He had to acknowledge the cordiality with which it was met by hon. members at both sides, without any reference to party feeling. (Hear.) The alterations proposed would, he felt persuaded, be productive of good effects to the country. There were besides those to which the bill related, other points connected with the administration of justsce, which he thought would bear being calmly looked at and inquired into, and with the encouragement he had already received, he hoped at no distant period to bring them under the consideration of Parliament. (Hear, hear.)

Mr. BROUGHAM, after enumerating the objects of the bill, observed, that that part which went to alter the present mode of selecting special juries more particularly in crown cases, was most important, and would produce the best results; for let the selection be made with the most scrupulous impartiality, it would still leave a suspicion not favourable to the due administration of justice. No matter who was the officer who might select, it would be looked upon in some degree as a selection under some influence. Of the present excellent individual who so worthily filled the situation of Master of the Crown-office, no man who know him could ever harbour a suspicion of the slightest improper bias in the discharge of his duty; but still the selection by any public officer would not give such satisfaction as that proposed by the bill. Indeed, when this subject was first mooted about three years ago, the Master of the Crown-office had declared, that whatever benefit the proposed alteration might give to the country, there was no person to whom it would afford more sincere satisfaction than to himself. He (Mr. Brougham) hoped that the passing of this bill would be a useful lesson to those who were so wedded to the system of things as they are as to be seriouly alarmed at even the mention of any change. He remembered in the well-known case a few years ago, in which the present mode of selecting special juries was objected to, and in which it was urged that the power of the returning officer to run over the list, and mark off a name here and a name there, shipping over several names in each interval, was, to say the least of it, a power liable to abuse—that it was gravely held by those to whom he alluded, that such a mode was the best of all possible modes of returning special juries. Now, however, he hoped their eyes would be opened by this act of the legislature, and that they would at length admit that things as they are might possibly be improved. He should give his entire concurrence to the bill.

The question was then put, and the SPEAKER left the chair.

The bill went through a committee. The house then resumed, and the report was ordered to be received on Thrusday next.

JUDGES' SALARIES BILL.

The CHANCELLOR of the EXCHEQUER moved that the order for receiving the report on the resolutions relative to the increase of salary to the judges be now read.

The order was accordingly read.

The CHANCELLOR of the EXCHEQUER, in moving that this report be now received, took occasion to notice certain observations that had been made on a former evening respecting the proposed increase to the salary of the judges. Understanding it to be the wish of the house that the retired allowance of the puisne judges should be reconsidered, he had devoted his attention to that point, and it had naturally led to a modification of the full salaries. (Hear.) His object, as he had already explained, in proposing 6,000*l.* a year to the puisne judges, without any proportionate increase of the retiring incomes, was twofold—1st, to induce younger men of eminence in the profession to undertake such offices; and 2d, to make the income such as would be worth the acceptance of men of great prospects in the profession—neither of which considerations had been, he thought, sufficiently attended to in the existing state of things. He had also considered the subject of translating judges from one court to another, but had not come to any fixed conclusion upon it; for, though he thought it a highly prejudical principle that promotion on the bench should be made a reward for the discharge of particular duties in that high station, yet he felt it would be going too far to say that in no case should it be competent for the Government to make such promotion. (Hear.) With respect to the retiring allowances, and the consequent modification of the full salary, what he meant to propose was this—to deduct 500*l.* a year from the original proposition of 6,000*l.* a year to the puisne judges, and to add the 500*l.* so deducted to the retiring allowance of 2,300l. a-year; so that the full salary would be 5,500l. a-year, and the retiring one 2,800l. This arrangement could, not, he thought, be reduced without compromising the double object of securing men for the office at an earlier period of life, and of that class of eminence which the duties of the bench required. The question of the retired allowances could not be regularly modified, on the bringing up of this report, but he would propose it on a re-committal of the particular resolution which embraced that branch of the subject.

Mr. SCARLETT said, that he would, on grounds of delicacy, refrain now, as he had done on a former occasion, from pronouncing any opinion on the amount of salary of the puisne judges, but he could not forbear from noticing the proposed arrangement for retiring allowances. Now, he thought, when they considered how seldom such retirements were called for,—he hardly remembered more than two together in his time,—that that branch of the consideration was of far less consequence than the settlement of the full salary. If a judge, then, were to receive 5,800l. a-year while on the bench, he must say, that 2,800l. a-year appeared to him too little, in comparison, for a retiring allowance, and hardly enough to enable the individual to maintain that station in society which his previous officer required, and which the connexions and situation of its duties must, in a great degree, still entail upon him, though he had ceased to perform the functions of a judge. The effect, then, of being too economical in the retired allowance, might be detrimental to the public service, by compelling a judge to remain longer in office than his health and faculties warranted. He remembered, indeed, an instance of this: the late Baron Wood, who was an excellent judge, a profound lawyer, and a person of great sagacity, at a very advanced age retired from the northern circuit; and instead of quitting the profession altogether was offered the seat in the Court of Exchequer, which he could not, under the circumstances, well refuse. The consequence was however, ultimately painful; for the Baron's infirmities grew upon him so fast, as to render it most unpleasant to himself, to the bar, and to the public, to have the administration of justice conducted by him: he had at length lost one eye and both ears. This would not have happened, were the retiring pension adequate. To remedy such defect, he thought the retiring allowance ought to be 3,500l. a-year, to bear any fair proportion with the full salary of 5,500l. It ought to be remembered that a judge could not retire when he pleased—the Government had always the option of permitting him, and requiring his full services, as long as it was obvious that he was capable of performing them. Another consideration struck him as entitled to notice—one which, if carried into effect, would, he had no doubt, be alike pleasing to the judge and useful to the public—he meant the employment of the judges in a particular manner, even when they had retired—he meant in the Privy Council. (Hear.) See the duties which devolved upon that body! The subject at home had all the different Courts of appeal open to him from one decision to another, but not so the subject in the British colonies, which, be it remembered, comprised the whole Indian empire, and yet who had only the Privy Council to appeal to, and the judgment there was final. Of what importance then was it not, that the Privy Council should be so composed for its decision upon matters of law, as to be enable to adjudicate with legal precision and perspicuity? He had known in times gone by (for he spoke not of the present), the greatest ruin to attend precipitate decisions of the Council. How, indeed, could it be otherwise, when the members were persons, however acute upon other matters, whose minds were not in the daily habit of discrimination in technical matters of nice legal construction, and of bringing that particular knowledge and professional experience into the consideration which the case essentially required. He knew that this cause of complaint did not always arise; for while Sir William Grant attended the Privy Council, they were sure of the aid of a lawyer of the most perfect constitution, both by nature and education, that it was possible to form of man—one of the greatest and most upright characters that ever adorned the bench (hear); but the public had not always the aid of his great knowledge and talents; for he remembered, that at the time when Sir Wm. Grant for some reason declined attending the Privy Council, he (Mr. Scarlett) and Sir Samuel Romilly had on one occasion to attend there; and he recollected that seven appeals were at that time decided quite contrary to the way in which all the lawyers present thought they should have been. Now, would it not be well to call upon retired judges to assist on these occasions, by making them members of the Council? The labour would be much less than that on the bench, and the duty such as a retired judge could generally discharge without oppressive fatigue. In this view he wished to be liberal in the retirement allowances. Before he sat down he was anxious to ask for an opportunity to have the resolution reconsidered, which went in his opinion to rob the chief justice of a part of his income, to create a fund out of which to pay the puisne judges. When could he propose such a reconsideration?

The CHANCELLOR of the EXCHEQUER doubted whether it was competent, as the question stood before the house, to propose the increase of any particular salary, though a reduction was practicable consistent with form. He was, however anxious the hon. and learned gentleman should have the opportunity he required, although he (the Chancellor of the Exchequer) retained his original opinion respecting the salary of the chief justice.

The SPEAKER said, that no alteration by way of increase of salary could be proposed in this stage of their proceedings.

A conversation then took place between the CHANCELLOR of the EXCHEQUER, Mr. BROUGHAM, and Mr. SCARLETT, upon the point of form, when the report was brought up. On the reso-

lution respecting the salaries of the judges being put from the chair,

Mr. BROUGHAM rose to bring forward the subject of which he had given notice, respecting the proposed arrangement of the salaries, and the translation of the judges from one judicial office to another---in fact, to re-open the whole question. He agreed without a single exception in all that had just fallen from his hon. and learned friend, whose great experience, varied opportunities, and profound knowledge upon such matters, justly entitled him to great weight in this discussion. It was, he could assure the house, the universal opinion at the bar, that the retiring salaries of the judges ought to bear a nearer proportion to their full emoluments; he was therefore one of those who thought the proposed scale was a bad one, and particularly respecting the arrangement for the chief justice, who was to give up so much valuable patronage for so inadequate a compensation as 800l. additional a year. There was no comparison between the duties of the chief and puisne judges, and it was of the utmost importance that the former should be so placed, from the dignity of his station, in a capacity to exercise that proper sway which the due discharge of business required, and which could not be practically effected, if the four sitting judges were to be nearly of co-ordinate influence. Every man conversant in the business of the courts must be aware how useful it was that the chief should he invested with extrinsic and intrinsic authority, so as to keep a proper sway over the proceedings of the courts. The fact was, that in any court where business must be done, a great deal depended on the lead which should be taken by the chief judge. Whatever was done, therefore, in diminishing the emoluments of the chief justice, must *pro tanto* diminish that sway in kind and station, as compared with that of the puisne judges, with which it was for the good working of the business of the court he ought to be clothed. Besides, a chief justice had, as he had already stated, a quantity of business peculiar to himself, beyond all comparison greater than the other judges; let them remember how it amounted in Lord Ellenborough's time, when on one occasion he had to dispose of a Guildhall paper, containing 588 causes, which he did to the astonishment and admiration of the profession. The business was not now so great as it was then, but still it was five times greater than in the time of Lord Mansfield; the proportion was as 60 to 350. When he spoke of the superior and heavier duties which devolved upon the chief justice, he begged not to be considered as disparaging the puisne judges, many of whom (particularly those in the Court of King's Bench) he had known at the bar, and more learned and virtuous men he did not believe existed; he wished merely, when he alluded to them, to speak of the comparison of labour in the courts. The puisne judges had the whole adjournment from the 28th of Nov. till the 23d of January. The chiefs, it was true, did not go the spring circuits; but then they had their *nisi prius* sittings from 9 o'clock every morning until 4 o'clock, the constant taking down of evidence, which was so much more laborious than merely hearing arguments at the bar---this business of what Mr. Bentham would call "single seated justice," fell heavily and laboriously upon them, and the chief had always the great responsibility of despatching it. As a proof of the superior sway which attached to the chief justice in proceeding with business, he remembered that shortly before Lord Ellenborough retired, one or two of the puisne judges were in the habit of sitting for him by turns, at *nisi prius*; but, vexed one morning at the accumulating arrear of business, his lordship, as if by a sudden illumination which was to shine out before his mental light became eclipsed for ever, resumed his place in court, and swept away in the course of that single sitting 17 causes, which stood in the way of the regular and quick despatch of business. It was this consideration of the value and the great additional labour of the chief judge, which induced him to say that 800*l*. a year additional was no compensation for the office—no remuneration for the proposed transfer of its patronage, (containing, among others, two offices which sold for 20,000l.): and therefore he complained. His next objection to the scale was regarding the Vice-Chancellor---an office now filled by Sir John Leach, than whom there was not in the profession a more learned ornament. The Lord Chancellor was of course a learned man---a very learned man---he must be deemed the most learned of the lawyers; but still the value of all these acquirements must be measured by their public utility, and that almost entirely consisted in their application to the despatch of business: it was there that the Vice-Chancellor shone conspicuous, for he did nothing else but decide causes. He sat in his court, not from eleven till two o'clock, but from ten to four—ay, and he used to come down while suffering excruciating torments from indisposition, and when his physician said that he was fitter for his bed than for the bench—nevertheless, the Vice-Chancellor was in his court, and despatching business. He was therefore to all intents a judge, if the person deserved that name who was really a judger. (A laugh) He knew many who thought so, and even those who would rather run the risk of having their causes hastily decided before the Vice-Chancellor, than never have them decided at all elsewhere. And yet this was the judge whose salary in the scale was to bear no adequate proportion to that of others in the same line of rank. God wot, where was the comparison of giving 7,000l. a year to the Master of the Rolls, and 8,000l. to the Chief Baron? The business of the Master of the Rolls was nothing compared with the Vice-Chancellor's, who had the Court of Chancery business, in fact, to perform. This scale, therefore was wrong, and must be altered. He also thought that the salary of 8,000l. a year for the Chief Justice of the Common Pleas trod too closely upon that of the Chief of the Court of King's Bench, who was Chief Justice of all England. As to the salary of the puisne judges,—and he spoke it in a place from which his expressions would in a few hours be conveyed to the bench,—he thought the proposed scale too high, and, that they would be well truly paid with 5,000l. a-year. (Hear.) When he said this, the house must feel he gave a disinterested opinion; for it was not pleasant to speak in reduction of the incomes of those in whose presence he must spend nearly the whole of his time, and where it was desirable for him professionally to held a good understanding: still he must say, that 6,000l. a-year was for them quite an extravagant remuneration, and he believed there were none more surprised at it than the judges themselves. (Hear.) He saw that the whole bar in Westminster-hall were in one ferment of astonishment at the proposition on the morning after it was made, and they naturally compared the emolument and the duties with those of other offices. There was the Speaker, the first commoner in England, an office of great responsibility and heavy labour, attended with very great expense, admirably sustained at present, as all must know who partook of the dignified and splendid hospitality of the Speaker's mansion (hear); and yet his salary was only 6,000l. a-year. What comparison was there between his necessary expenditure, and that of a puisne judge who had only the circuit expense to maintain? Then there was the office of Secretary of State for the Foreign Department, who had to maintain the national hospitality on a suitable scale, in the presence of foreigners of rank,---who had his household expenditure also swelled by the nearly constant maintenance of messengers,---who, besides, had no house provided for him, and indeed whose business consisted of no sinecure (hear); for he had to listen to the ambitious pretensions of the Holy Alliance, to fence off all their meditated attacks upon public liberty, in the best way he could,---to keep them off his hands; and he had no doubt it required all his great ingenuity to do so,—to make excuses of all kinds for them both in and out of the house---to correspond back and forwards with these good people---to tell them that to attempt in England to assist in some of their projects would be just as much as his head was worth (a laugh, and "hear")---then to manage matters in debate in Parliament; and yet all this for 6,000l. a-year! The puisne judges were only plagued all day with the lawyers, but the foreign secretary was plagued with them all night (laughter),---not so satisfactorily, indeed, for either party, for the lawyers had often a chance of gaining a cause by day, but they had little or none when they grappled with the right hon. gentleman by night. On the whole, he thought 5,000l. a-year was quite enough for the puisne judges: he would propose, then, at once, to lop off 500l. from the resolution of 5,500l. a-year, and he had no doubt in this reduction he should have the assistance of his hon. and learned friend near him.

Mr. SCARLETT.—"No, indeed, you shall not." (Loud laughter.)

Mr. BROUGHAM said, well, then, he must do it himself. (Hear.) Let him not be told of the refusal of professional gentlemen to ascend to the bench for such a salary. It was easy for a lawyer to say, I would not take it; but there were two ways of making the offer, which reminded him of an observation of a humourous friend, who was also of the profession, who had said that it was one thing to ask a man to take a dram when the bottle was on the table before him, and another to say "Sir, will you allow me to send to the cellar for a flask to refresh you?" (A laugh.) Only let the appointment be offered to the bar, and then they would see who would refuse it. As to the independence of the judges, the King had properly said that he looked upon it as the best means of upholding the dignity of the administration of justice, and alo as being the most conducive to the honour of the Crown. Here the hon. and learned gentleman referred to the message from the late King to Parliament, which made the judges not removeable on the demise of the Crown, and pointed out the popular mistake which attributed to George III. the first step for rendering the judges independent, whereas it was taken by King William, the late king only altering the act of Parliament to make them survive the demise of the Crown. The next point to which he would direct the attention of the house was the impropriety of the translation of judges from one office to another. This looking up for promotion on the bench, as in the church, naturally tended to make men look rather to their maker, than to the public good. He would not say that within his time and experience he had seen any bad consequences arise from the ambition to obtain such promotion—he had certainly never seen it to operate among their criminal judges, (he only spoke of them, and not of the office of Chancellor, which being partly judicial, and partly political, must of course more expose the possessor to influence)—among them he certainly had never observed it. He could not, however, as an honest man, say that he had not sometimes seen a certain effect on some judges from particular bias---he admitted it to be rare, and accountable from peculiar circumstances---but generally the bench was admirably filled. Still the Crown ought for its own sake to remove the sort of tendency to which he alluded, or the possibility of its existence. If they wished to preserve the purity of the judges in the public esteem,

they ought to put them above suspicion. He foresaw the difficulty which would be opposed to his proposition, and the choice which would be left to him between the positive prohibition to translate a person of high merit in default of finding any candidate so competent, which might occur one in half a century, and the other danger which he dreaded of constant translation. Between those two evils, he would elect the first. He did not wish to be driven to a legislative remedy. He rather chose to embrace, by a resolution of the house, the principle which had, in the very same manner, been adopted for the basis of that brilliant act of the last reign, which professed in the preamble the same intention which he now held---that of securing the independence of the judges. The case of Baron Eyre, who was promoted to be Chief Baron, and then chief justice of the Common Pleas, was, he believed the only one of the kind up to that period. He would, he confessed, have less dread of the translation of a Master of the Rolls to the same office. In the latter case, the individual was not so likely to feel the conflict of interest and duty, as in the former. He would have no predispositions as to questions of political libel---he would have no peculiar feelings acquired from judicial habits in administering the law of high treason—nor in any of the great questions which affected the interests of the Crown, the revenue, or the tithes. His wish was, however, to emancipate them altogether from any bias on their judgment, and from any suspicion of bias in the public mind. He did not recollect any other instance of this kind of tarnslation up to the time of the Regency. But of late years the practice had increased, so that in 13 years there had been no less than six acts of judicial translation. This was enormous. The first of these cases was that of Sir V. Gibbs, a man of very strong political character; and therefore, in ordinary calculation, liable in a considerable degree to the influence to which his observations referred, though, as he very willingly admitted, in practice a very pure, impartial, and enlightened judge. He was Attorney-General in very troublous times; then was made a puisne judge of the Common Pleas, and after that Chief Baron of the Exchequer; then Chief justice of the Common Pleas; and he might have been Chief Justices of the King's Bench, but his infirmities grew upon him so fast, that he died in a year or so after his promotion. The next case was that of Baron Thompson, a truly venerable judge---(hear, hear, from the ministerial side)---no man more readily admitted his high qualities and judicial excellence, his eminence as a lawyer, and his amiable disposition. He was first a Master in Chancery, then a Puisne Baron of the Exchequer, then Chief Baron. And here he could not observe how groundless was the fears of not being able to get able men to accept these offices. A Master in Chancery had one of the easiest and most lucrative situations under the Crown; and yet Chief Baron Thompson gave up all the delights and advantages of it to go into the Exchequer, one of the dullest Courts in the universe (laughter), to attend the Old Bailey, and to drudge upon the circuit, he (Mr. Brougham) having seen him upon the northern circuit in his turn for many years. At that time, too, the salaries were much less than at present. The next case was that of Baron Richards, first Solicitor-General, then Puisne Baron, then Chief. Mr. Abbott, the present Chief Justice, was a puisne Judge. He admitted that no man more able, more perfectly competent in all respects, could have been chosen. Justice Dallas was the sixth case, and that of Justice Best was the seventh and all in 13 years. Why, it was vain to talk of any other rule: this was become the common practice. In his opinion this was the wrong course: they ought not to put the judges in that situation in which translation placed the bishops, where their duty to the public and to their patrons must conflict with each other. A year ago every chief in Westminster-hall had been promoted from an inferior judgeship. The Lord Cancellor had been Chief Justice of the Common Pleas. Chief Justice Abbott had been Puisne of his Court. Chief Justice Dallas and Best, and Chief Baron Richards, had all held places as puisne judges. Every one of the Arch-Judges had been a common Judge translated, as an Archbishop was generally made from a Bishop. This ought not to appeartain to the appointment of a Judge, who was to be watched by a jealous bar and a no less jealous public. Men were but men. It was not enough that those who held that sacred office should be put out of the way of temptation—they ought to be placed above the suspicion of it. Reverting to the difficulty which he had before mentioned, he preferred shutting out the promotion of the most deserving judge once in 50 years, and amidst a dearth of the requisite talent, to leaving the subject so open to jealous animadversion. He meant no offence to any one man—he spoke theoretically. He went by his knowledge of human nature. He proposed to insert in the resolution, "Whereas it is expedient to secure the independence of the judges by providing them adequate salaries; and whereas it is unwise and inexpedient to promote puisne judges to be chief justices, or puisne barons to be chief barons."

The Attorney-General thought it would be very unwise and inexpedient to adopt the resolution as it was moved by his hon. and learned friend. Neither the history of present or of past times proved it to be at all necessary. A resolution of the house in the last reign had been inserted as the preamble of an act for securing the independence of the judges and the due administration of justice; but that formed no case to justify the resolution now proposed, which if good in principle ought to be constituted into the rule by legislative provision. He thought it scarcely fair to attempt to carry it under the colour of an opinion given by the house. If it were wise to forbid the promotion of puisne judges, let that be expressed. But if the matter were to be left to individual discretion, the Crown must be left to exercise that discretion. Any particular abuse in its exercise might form a ground for legislative interference. It was said that these translations were more numerous than in former times. What did that amount to, if in every case a justification was found in the circumstances? At the time of the appointment of Chief Justice Dallas, the place was offered to the Attorney-General, who refused it. Mr. Dallas had been Solicitor-General. Could it have been offered to a more fit and proper person—could the situation have been better filled either for the court or the public? His hon. and learned friend had quite forgotten the practice of past times. Lord Coke was moved from the Common Pleas to the Chief Justiceship. Sir M. Hale was a puisne judge before he was made Chief Justice. Lord Hardwicke was Chief Justice of the King's Bench, and then was made Lord Chancellor. Lord Camden was Chief Justice of the Common Pleas before he was Lord Chancellor. Yet the hon. and learned gentleman would lead the house to believe, that since 1810 a new principle had been adopted. Accident had multiplied the cases but there was no new principle. Lord Kenyon was Chief Justice of Chester and Master of the Rolls before he was made Chief Justice of the King's Bench. What did all this prove, but that the line could only be drawn, however desirable in general to avoid the practice of translation, by individual discretion, and that discretion must be left with the Crown? It was against the practice of the constitution to embrace a proposition of this nature in a resolution, which, if good at all, ought to be carried into effect by an act.

Mr. Scarlett could not reconcile the inconsistency of his right hon. and learned friend in saying that there ought to be no resolution, and the conduct of the Chancellor of the Exchequer in proposing a resolution. If it were inexpedient, then why was any resolution proposed? He could perfectly understand the design of his hon. and learned friend near him, who wished to propose the sentiment of the house, (which he must take leave to say was that of public opinion generally), in a way which would hand it down to posterity for the guidance of their conduct. But he invited his right hon. and learned friend to consider the effect of what he had uttered. He allowed no qualification whatever: he declared every resolution of the kind to be unwise and inexpedient. Again, let him only remark the inconvenience of entrenching himself behind individual cases. How was it possible for his opponents to argue with him while he remained in such perfect safety? They took general and abstract grounds, to which the right hon. gent., without any reasoning upon them at all, opposed individual circumstances. Of course there could be no argument on those terms. Suppose he were to take up the statements of the right hon. and learned gent. and put a particular case. In the time in which Mr. Garrow was Attorney-General there were no less than three vacancies—two as Chief Baron, and one as Chief Justice of the Common Pleas. Were either of these offices tendered to Mr. Garrow? Was he not a man of eloquence equal to any man—of consummate talent in his profession--of high legal attainments? What objection could there have been to his appointment? Would it be pretended that he was like some other great men who had preferred ease and retirement? Alas! he solicited and obtained the situation of puisne judge. It was impossible to offer an objection to his appointment, and yet three chief judgeships were vacant, and not one was offered to him. It could not be presumed that the Chancellor, who had the recommendation of the judges, wished to insult a man of Baron Garrow's character by quietly passing him by. It was much less to be supposed that he would before that have advised his promotion to the office of Attorney-General, if he had not been convinced that he was equal to the highest offices of the law. Such was the inconvenience of arguing upon individual cases. As to the cases of former times, he had always understood that Lord Hardwicke had taken the Chancellorship very unwillingly. The right hon. gentleman should recollect, that it only belonging to modern times for a Chancellor to hold the seals for 25 years, or half a century. At that time a Lord Chancellor was considered only as a Minister subject to removal with his friends: no one dreamed of holding that great and lofty situation for life as in our times. No doubt the public derived the highest advantages from the judge who now held the office. But could Lord Ellenborough be prevailed upon to accept it? No; he preferred being Chief Justice of the King's Bench. Lord Mansfield refused the seals: Lord Camden accepted them with difficulty, to oblige his party; nor was he ever known to be satisfied with the exchange. Until the right hon. gentleman could get up a joint stock company to ensure the possession of the office for half or quarter of a century, the promotion of a Chief Justice to a Chancellor, such would always be the case. It was not proposed to prevent the Crown from translating puisne judges, but only to give expression to the general feeling. He remarked the impropriety of quoting the cases of Lords Coke and Hale, who were deposed from their places, and put down to the bar. It was admitted that

THE SUBALTERN.

(Continued from our last.)

CHAP. IX.

We had slept about four or five hours, and the short hours of the morning were beginning to be lengthened, when our slumbers were disturbed by the arrival of a messenger from the advanced picquets, who came to inform us that the enemy were moving. As we had lain down in our clothes, with all our accoutrements on, we were under arms, and in column, in five seconds. It was not, however, deemed necessary that any advance on our part should be instantly attempted. We remained, on the contrary, quiet in the church; but standing in our ranks, we were perfectly ready to march to any quarter where the sound of firing might bespeak our presence necessary.

We had stood thus about half an hour, when a second messenger from the out-posts came in, from whom we learned, that a blue light had been thrown up within the enemy's lines, and that their fires were all freshly trimmed. "Is it so?" said some of our oldest veterans; "then there will be no work for us to day—they are retreating;" and sure enough it proved. As soon as dawn began to appear, a patrole was sent forward, which returned immediately to state, that not a vestige of the French army was to be found. Their outposts and sentries were withdrawn, their baggage was all gone, and the whole of the right wing had disappeared.

The fact was, that Lord Wellington's scheme had succeeded according to his expectations. The right of our army, after some very hard fighting, turned the enemy's left; took possession of most of his redoubts, and got into his rear; which compelled Marshal Soult, sorely against his inclination, to abandon a position more tenable than any which he had yet occupied. Towards his right, indeed, as I have already mentioned, it would have been little short of madness seriously to have attacked him; nor could his left have been broken, but for the skilful manœuvring on our part, which hindered any reinforcements from being sent to it. This object being attained, however, to remain, at least with safety, even for a single day longer, on his ground, was impossible, and hence Soult only showed his wisdom and sound judgment by seizing the first favourable opportunity to retire.

The intelligence of the enemy's retreat was received, as such intelligence is usually received, with great satisfaction. Not that we felt the smallest disinclination to renew the battle—quite the reverse; but there is something in the idea of pursuing a flying enemy, far more exhilarating than in any other idea to which the human mind gives harbour; and this we experienced, on the present occasion, to its full extent. We had scarcely learned that the French troops had deserted their works, when an order arrived to advance; and that we prepared to obey with the most hearty good will.

Whilst the men were swallowing a hasty meal, preparatory to the commencement of the march, I went, with two or three others, to visit the spot where we had deposited such of our messmates as fell in the battle of yesterday. It is not often that a soldier is so fortunate—if, indeed, the thing be worth estimating as fortunate—as to [illegible] crated

soldiers had collected them from the various spots where they lay, and brought them in, with a sort of pious respect, to the church-yard. Here they dug a grave—one grave, it is true, for more than one body; but what boots it? and here they entombed them, carefully tearing up the green sod, and carefully replacing it upon the hillock. For my own part, I had little time to do more than wish rest to their souls; for the corps was already in motion, and in five minutes we were in the line of march.

It was as yet quite dark, consequently objects could not be distinguished at any considerable distance; but the farther we proceeded, the more strongly the day dawned upon us. Having cleared the village, we came to a bridge thrown across a little brook, for the possession of which a good deal of fighting had taken place towards evening on the day before. Here we found several French soldiers lying dead, as well as one of our own men, who had ventured too far in pursuit of the enemy. A little way beyond the bridge, again, and to the left of the road, stood a neat chateau of some size. This our advanced party was ordered to search; and, as I chanced to be in command of the detachment, the office of conducting the search devolved upon me.

I found the house furnished after the French fashion, and the furniture in a state of perfect preservation; nor did I permit the slightest injury to be done to it by my men. The only article, indeed, which I was guilty of plundering, was a grammar of the Spanish language, thus entitled, "Grammaire et Dictionnaire François et Espagnol—Nouvellement Revû, Corrigé et Augmenté par Monsieur De Mauvory: Suivant l'Usage de la Cour d'Espagne." Upon one of the boards is written, *appartient a Lassalle Briguette, Lassallee.* The book is still in my possession, and as our countries are now at peace, I take this opportunity of informing Mr. Briguette, that I am quite ready to restore to him his property, provided he will favour me with his address. Of course, Monsieur Briguette, like all the rest of the civilized world, reads Maga regularly.

The room from which I took the volume just alluded to was the library, and by no means badly stored with books. I had not, however, much time to decipher the title pages, for, independently of the necessity under which I lay of pushing forward as soon as I had ascertained that none of the enemy were secreted here, my attention was attracted by a mass of letters scattered over the floor. The reader may judge of my surprise, when, on lifting one to examine its contents, I found it to be in the hand-writing of my own father, and addressed to myself. It was of a later date, too, than any communication which I had received from home; and beside it were lying about twenty others, directed to different officers in the same division with myself. This let me into a secret. The house in which I now stood had been the official head-quarters of Marshal Soult. A courier, who was bringing letters from Lord Wellington's head-quarters, had been cut off by a patrole of the enemy's cavalry; and hence all our epistles, including sundry *billet-doux* from fair maidens at home, had been subjected to the scrutiny of the French marshal and his staff.

[illegible] other letters to their fate, I put

a hundred yards in the rear of the chateau we arrived at the first line of works, consisting of a battery for two guns, with a deep trench in front of it. It was flanked, both on the right and left, by farm-houses, with a good deal of plantation, and a couple of garden walls, and would have cost our people no inconsiderable loss had we been fool-hardy enough to attack it. This battery was erected just upon the commencement of the rising ground. On passing it, we found ourselves on the face of a bare hill, about the length, perhaps, of Shooter's Hill, and not dissimilar in general appearance, the summit of which was covered by three redoubts, connected the one with the other by two open batteries. As we passed these, we could not but remark to ourselves, how painful must have been the feelings of the French general, when he found himself compelled to abandon his works, without an opportunity being given of putting their utility to the proof; and we, of course, paid the compliments, which were his due, to our own leader, who, by his judicious arrangements, had rendered these works perfectly unprofitable.

We had just cleared the entrenchments when a cry arose from the rear, "make way for the cavalry." Our men accordingly inclined to the right of the road, when the 12th and 16th light dragoons rode past at a quick trot, sending out half a troop before them to feel their way. The object of this movement, as we afterwards found, was to hinder, if possible, the destruction of the bridge at St. Jean de Luz. But the attempt succeeded only in part, the enemy having already set fire to their train.

"Push on, push on," was now the word. We accordingly quickened our pace, and reached St Jean de Luz about nine o'clock; but we were too late to secure a passage of the Nivelle, the bridge being completely in ruins. Our cavalry had reached it only in time to see the mine exploded which the French troops had dug in its centre arch; and hence a halt became absolutely necessary, till the chasm thus created should be filled up. The effect was remarkably striking. The whole of the first and fifth divisions, with the King's German legion, several brigades of Portuguese, and two divisions of Spanish troops, came pouring up, till the southern suburb of St. Jean de Luz was filled with armed men, to the number of, perhaps, twenty or thirty thousand.

It is probably, needless for me to say, that we found St. Jean de Luz, for the most part, abandoned by its inhabitants. A few indeed remained; and these consulting, as under such circumstances people are justified in consulting, their own safety only, welcomed us by waving their handkerchiefs from the windows, and shouting, *Vivent les Anglois.* Those who thus met us were, however, of the lowest description, all the gentry and municipality having fled; though they, too, returned after a few days, and placed themselves under our protection. They were faithfully guarded against insult; nor were our soldiers permitted to exact anything from the inhabitants without paying for it whatever was demanded.

Whilst we were waiting till the bridge should be so far repaired as to permit the infantry to cross, I happened to stray a little [illegible] main street, and beheld, in a lane

exceedingly shocking. I saw no fewer than fifty-three donkeys standing with the sinews of the hinder legs cut through. On inquiring from an inhabitant the cause of this, he told me, that these poor brutes, being overloaded with the baggage of the French army, had knocked up; when the soldiers, rather than suffer them to fall into our hands in a serviceable condition, hamstrung them all. Why they were not merciful enough to shoot them I know not; unless, indeed, they were apprehensive of causing an alarm among us by the report; but what their caution hindered we performed. The poor creatures were all shot dead ere we advanced.

The town of St. Jean de Luz covers about as much ground, and, I should guess, contains about as many inhabitants, as Carlisle or Canterbury. It is divided into two parts by the river Nivelle, which falls into the sea about a couple or three miles below, at a village, or rather port, called Lecoa. Like other French towns of its size, St. Jean de Luz is not remarkable for its air of neatness; but there is a good market-place in it, two or three churches, and a theatre. The Nivelle, where it flows through the city, may be about the width of the Eden, or the Isis; it is rendered passable, and the two quarters of the city are connected, by a stone bridge of three arches; besides which, the stream itself is fordable, both for cavalry and infantry, at low water. When we came in this morning the tide was up, but it had been for some time on the turn; and hence, in about a couple of hours, we were perfectly independent of the repairs. By this time, however, the broken arch had been united by means of planks and beams of wood; but as the junction was none of the most firm, it was deemed prudent to send the troopers throuth the water, whilst the infantry only should cross by the bridge. Along with the cavalry was sent the artillery also; and thus, by noon, on the 11th of November, the whole of the left column had passed the Nivelle.

We had hardly quitted St. Jean de Luz, when the weather, which during the entire morning had looked suspicious, broke; and a cold heavy rain began to fall. This lasted without any intermission till dark; by which means our march became the reverse of agreeable, and we felt as if we would have given the enemy a safe-conduct as far as Bayonne, in return for a permission to halt, and dry ourselves before a fire. But of Halting no hint was dropped, nor was it till our advanced-guard came up with the rear of the French army, posted in the village of Beddart, and the heights adjoiniug, that any check was given to our progress. As it was now late, the sun having set, and twilight coming on, it was not judged expedient to dislodge the enemy till morning; in consequence of which our troops were commanded to halt. There was however, no cover for them. Only a few cottages stood near the road, and the tents were at least fourteen miles in the rear; this night was accordingly spent by most of us on the wet ground.

From the moment that the rain began to fall, we remarked that the Spanish, and in some instances the Portuguese troops, setting the commands of their officers at defiance, left their ranks and scattered themselves over the face of the country. Whilst this was going on, I have good reason to beilieve that several horrible crimes were prepetrated. Of the French peasants, many trusting to

cities, by a feeling far more powerful than the desire of plunder—revenge—a strong and overwhelming thirst of vengeance, drew, I am convinced, many to the perpetration of the most terrible deeds; indeed, one case of the kind came under my own immediate notice, which I shall here relate.

About three o'clock this afternoon, a temporary check took place in the line of march, when the corps to which I belonged was about two miles distant from Bedart. A brigade of cavalry alone was in front of us; a Portuguese brigade, including one regiment of caçadores, was in our rear. Whilst we were standing still in our places, the caçadore regiment, breaking its ranks, rushed in a tumultuous manner towards two or three cottages on the left of the road. The officers with the utmost difficulty recalled them, but a few individuals, as the event proved, succeeded in their effort of insubordination. These, however, were not noticed at the time, and it was thought that all were where they ought to be.

A little way, perhaps a couple of hundred yards in front, stood another French cottage, surrounded by a garden, and perfectly detached from all others. In about five minutes after order had been restored, we heard a female shriek come from that cottage. It was followed by the report of at musket, and ere we had time to reach the spot, another shot was fired. We ran up, and found a poor old French peasant lying dead at the bottom of the garden. A bullet had passed through his head, and his thin grey hairs were dyed with his own blood. We hastened towards the house, and just as we neared the door, a caçadore rushed out, and attempted to elude us. But he was hotly pursued and taken. When he was brought back, we entered the cottage, and to our horror, we saw an old woman, in all probability the wife of the aged peasant, lying dead in the kitchen.

The desperate Portuguese pretended not to deny having perpetrated these murders. He seemed, on the contrary, wound up to a pitch of frenzy. "They murdered my father, they cut my mother's throat, and they ravished my sister," said he, "and I vowed at the time, that I would put to death the first French family that fell into my hands. You may hang me, if you will, but I have kept my oath, and I care not for dying." It is unnecessary to add that the man was hanged; indeed, no fewer than eighteen Spanish and Portuguese soldiers were tucked up, in the course of this and the following days, to the branches of trees. But I could not at the time avoid thinking, that if any shadow of excuse for murder can be framed, the unfortunate Portuguese who butchered this French family, deserves the benefit of it.

I have said that the greater part of the left column spent this night in no very comfortable plight, upon the wet ground. For ourselves, we were moved into what had once been a grass field, just at the base of the hill of Bedart; but which, with the tread of men's feet, and horses' hoofs, was now battered into mud. Here, with the utmost difficulty, we succeeded in lighting fires, round which we crowded as we best might. But the rain still came down in torrents, and though our lad arrived shortly after with the cloaks, and rations of beef, and biscuit, and rum, were issued out to us, I cannot enumerate this among the nights of pure enjoyment, which my life, as a soldier, has frequently brought in my way.

(To be Continued.)

8vo. pp. 504. London, 1825. John Murry.

From the Literary Gazette, April 30.

THIS is a *melange* of very dissimilar subjects, and by very different persons, connected with New South Wales. Expeditions, surveys, shipwreck and domestication among the natives, geology, botany, astronomy, meteorology, zoology, are all discussed in its various papers; and the taste must be difficult to be pleased indeed, which does not find many palatable dishes among the number thus served up. We shall follow the courses as they are presented.

A preface, rather inflated in its style, * apprizes us that the official documents and maps have been allowed by Lord Bathurst and the Commissioners of the Navy; and that all other papers used in the volume have been duly granted by their respective authors. The editor then anticipates great improvement in the colony "from the gubernatorial experience" of the new governor elect, and from the talents of other functionaries and men of science recently appointed to explore its capabilities. He especially alludes to Captain King and Mr. Oxley, in geographical departments; and, in the matter of zoology, to Mr. Brown.

The most important part of the work relates to the discoveries about Moreton Bay and the navigable river Brisbane, about 400 miles to the northward of Port Jackson; apparently a fertile district, and lying in the direction in which it is most expedient to extend colonization. This river bids fair to compensate for the disappointments in the Lachlan and Macquarie; and its existence seems to have been suspected as long ago as 1770, by Captain Cook.

The first paper after the preface is Mr. Oxley's Report of his ascent up the Brisbane; and this is followed by a still more particular narrative relating to these parts, when visited by Mr. Uniacke in October, 1823. From this relation, without going into less interesting details, we copy the following: Mr. Stirling and Mr. Uniacke had landed on one of the islands in the Bay, with their guns—and "the rock," the latter says, "which formed the base was evidently of volcanic origin: it was of a dark colour, full of small holes and extremely hard, while on the western side were many regular circular cavities, some of which were about four or five yards in diameter at top, and tapered down gradually towards the bottom, which was usually filled with round stones. One of these holes, in particular, had a communication underneath with the sea, and at every returning surf threw up considerable quantities of water with a loud noise. The superincumbent rocks were basaltic, and those of a small rock to the N. W. of the island, as well as those of a bluff headland, immediately opposite on the main, were inferior only in extent to the Giant's Causeway, in the north of Ireland. In ascending to the top of the island, we sank nearly knee-deep at every step in the bird-holes that undermined the surface. The inhabitants of these subterraneous dwellings were sooty peterels, mutton-birds, and red-bills, the last very good eating. We shot many of them, as the young ones were full fledged and got up in numbers round us, when disturbed by our falling into their holes. On the top of the island we were surprised to see some hundred pelicans seated quietly near their young, who, with the eggs, covered a considerable space. [illegible] not appear at all [illegible] have heard

the reports of our guns several times. However, on our giving them a volley, which they did not seem to care more for than if it came from pop-guns, they slowly took flight, screaming frightfully. These birds were at least five feet high, and from the peculiar formation of the bill, the effect of such a multitude, drawn up as if in regular order, was very singular. Having taken a few of the young ones, and eggs, we were proceeding to the place where we landed, when we observed what appeared to be part of a wreck on the N. W. point of the island. We immediately proceeded towards it, not without expressing a hope that it might prove the vessel of that unfortunate and universally lamented navigator, La Perouse, who is generally supposed to have perished somewhere in these latitudes, having never been heard of since he left Port Jackson in the year 1789. It appeared to be the larboard quarter, with part of the stern and quarter-deck of a vessel of at least three hundred tons. The plank, which was of oak, was not yet totally destroyed. Though we formed a variety of ingenious conjectures on the subject, we could find nothing about the wreck by which we could at all determine what she had been."

At night they left this island, named *Turtle*, from their catching several large turtles upon it; and Mr. U. continues—"We experienced a very severe gale, but as it was in our favour it did not much annoy us; and when it ceased, the next day, it fell quite calm, and the sea appeared perfectly alive with fish. The bonitas, skipjacks, and other fish, were leaping in every direction as far as the eye could reach, while immediately round the vessel were several large sharks, but we were not fortunate enough to catch any.

- - - "In all parts of the harbour we saw a great many green and black snakes playing about in the water, while the number and boldness of the sharks exceeded credibility. They were continually striking at the oars, and one large one very nearly pulled the steer-oar out of Mr. Penson's hand."

At length, the journal states, "we came to an anchor in Pumice-stone River, Moreton Bay, within 150 yards of the shore, in the very place where Captain Flinders had anchored twenty-two years before, on discovering the harbour, which I believe, has not been since visited by Europeans. Scarcely was the anchor let go, when we preceived a number of natives, at the distance of about a mile advancing rapidly towards the vessel; and one looking at them with the glass from the mast-head, I observed one who appeared much larger than the rest, and of a lighter colour, being a light copper, while all the others were black. This I pointed out to Mr. Stirling, so that we were all on the look-out when they approached; and to our surprise and satisfaction, when opposite the vessel, the man hailed us in English. The boat was immediately launched, and Messrs. Oxley, Stirling, and I, went ashore in her. While approaching the beach, the natives showed many signs of joy, dancing and embracing the white man, who was nearly as wild as they. He was perfectly naked, and covered all over with white and red paint, which the natives make use of. His name, it appeared, was Thomas Pamphlet. He had left Sydney on the 21st March last, in an open boat, to bring cedar from the Five Islands, about fifty miles to the S. of Port Jackson. There were three others with him, but the boat being driven out to sea by a gale of wind, they had suffered great hardships out of his story that night; so having distributed a few knives, handkerchiefs, &c. among the friendly blacks, we returned on board, taking him with us. He now informed us that his two surviving companions, Richard Parsons and John Finnegan, after having travelled in company with him to the place where we found him, had, about six weeks before, resolved to prosecute their way towards Sydney; that he had accompanied them about fifty miles, but his feet becoming so sore that he was unable to travel further, he had resolved to return to the blacks, with whom we found him, and who had before treated him with great kindness; that a few days after they parted, Parsons and Finnegan having quarrelled, the latter also returned, and had since remained with him, but had been absent the last fortnight with the chief of the tribe on a hunting expedition; and that Parsons had not been heard of since his departure."

Both these men are found, and from Pamphlet and them many particulars are gathered respecting the Natives among whom they had sojourned.

In their journeys the women are obliged to carry heavy burthens, consisting of whatever rude utensils they may possess, together with a large quantity of fern-root, which forms a part of their daily food, and not unfrequently two or three children besides. The men carry nothing but a spear, and perhaps a fire-stick; and their only employment consists in catching fish; this they do very expertly with a kind of hoop-net, which they use in the following manner: They go out in equal parties of four, six, or eight, each man having two nets. They then walk along the beach till they perceive the fish near the shore, which (from constant practice) they are enabled to do at a depth of four or five feet. As soon as this takes place, a little boy, who accompanies each party, creeps towards the water on his hands and knees; the party then divide, forming two lines, one on each side of the boy at a distance of two or three yards, and as soon as the fish are sufficiently near, the boy throws among them a handful of sand, so as to distract their attention, when the men instantly rush into the water, forming a semicircle round the fish, each man standing between his two nets, which he then draws close together. In this manner they are seldom unsuccessful, and frequently catch more than they can consume. As they never travel without fire, the moment the fish are out of the water, they commence roasting and eating them, which they do without cleaning or any other preparation; and when they have satisfied themselves, should any remain, they carry them home for their women and children, who have been employed during the day in procuring fern-root, which they call *dingowa*, and a part of which they give the men in exchange for fish. When Pamphlet arrived among them, they had no more idea that water could be made hot than that it could be made solid; and on his heating some in a tin pot which he had saved when wrecked, the whole tride gathered round them and watched the pot till it began to boil when all took to their heels, shouting and screaming; nor could they be persuaded to return till they saw him pour the water out and clean the pot, when they slowly ventured back, and carefully covered the place where the water was spilt with sand. During the whole of our countrymen's stay among them, they were never reconciled to this operation of boiling.

"Both sexes go perfectly naked; nor are the females at all abashed at appearing in that state before a stranger. They do not seem to have any [illegible] regularly taken off and hidden as soon as they arrived at their camp; nor did we see ever any article again after they once became possessed of it.

"Each individual of this tribe, above the age of six years, had the cartilage of the nose perforated, and many of them (especially the children) wore large pieces of stick or bone thrust through it, in such a manner as completely to stop the nostrils. This operation is always performed by the same person, whose office is hereditary, and confers some privileges, such as receiving fish, &c. from the others. It was held in this tribe by a fine intelligent young man, who was called the Doctor by our men. His father held a similar situation in another tribe on the south side of the river.

"These tribes are distinguished from each other by the different colours they use in painting their bodies. Those on the north side blacken themselves all over with charcoal and bees' wax, which, with wild honey, they procure in abundance; and those on the south side paint themselves with a sort of red jaspar, which they burn and reduce to a powder. Other tribes make use of a white pigment, with which (having previously blackened themselves) they daub various parts of their body. Their chief appeared to possess an unlimited authority over them; he was a tall, middle-aged man, with an intelligent countenance. He had two wives, which (though it sometimes occurs) does not seem to be common among them. However only one of them lived with him as a wife; the other was employed, while he ate or slept, in going among the other huts and collecting from their inhabitants fish, fern-root, &c.—a tribute which was daily paid to him without murmuring, although the rest of the tribe in consequence occasionally fell short themselves. The chief possesses nets both for fish and kangaroo, but seldom uses them except for his amusement. Neither does his head wife ever go out to gather fern-root with the rest of the women. The same practice of scarifying themselves with sharp shells prevails here, as at Sydney; but most of these Indians were cut more deeply, and all with great regularity. The women here, as at Sydney, all lose the first two joints of the little finger of the left hand; but the men do not extract a front tooth on their approach to puberty, as is invariably the case in the vicinity of Port Jackson. The amputation of the finger is performed by the same person who bores the noses.

"Pamphlet and Finnegan, while among the Indians, were regularly painted twice a day, and were frequently importuned to allow themselves to be further ornamented by scarifying the body and boring the nose; but on their signifying that they did not wish it, the natives always desisted; nor was any violence used against them during their whole residence.

"I could not ascertain that these people had any idea whatever of religion. They do not stand in awe of either good or evil spirits; nor did the Englishmen we found with them ever observe any thing like religious ceremony or prayer among them, during all the time of their residence.

"The women are far more fortunate than those in the neighbourhood of Sydney, where they are abused in the most cruel way by the men; and where the marriage ceremony consists of seizing the bride and beating her till she is senseless. Pamphlet assured me that, during his residence among these natives (nearly seven months), he never saw a woman [illegible]

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two, in particular, whose shape and features were such as no white woman need have been ashamed of.

"This tribe amounted in number to about thirty men, sixteen or seventeen women, and about twenty children. Their quarrels with neighbouring tribes are frequent, and often end fatally. As some of them were witnessed by Pamphlet and his companion, it may not be uninteresting to insert here the description which they gave me of two, at which they were present, and which I took down at the moment. That which Finnegan describes may be considered as the most faithful, as he witnessed it only two days before we found him, and the particulars were then strongly impressed on his mind."

Many tribes assembled to witness this encounter, which arose out of a quarrel between two persons belonging to different bodies.

"We shortly," Finnegan tells, "arrived at a level piece of ground, in which had been dug a circular pit about forty feet in diameter. I was now left in care of the chief's wife at a short distance from this pit; but being anxious to view the fight, in spite of her endeavours, I went up towards it. She, however, followed me, calling out and weeping; upon which one of the men of our tribe came to me, and, taking my hand, led me up to the pit. I there saw a woman of my tribe, and one of another, fighting desperately with sticks. The battle did not, however, last long, as they appeared to be quite in earnest! and in five minutes their heads, arms, &c. being dreadfully cut and swelled, our woman was declared the conqueror, the other not being able any longer to oppose her. The victory was announced by a loud shout from all parties, and the amazonian combatants were immediately carried away by their respective friends. The man who had brought me to the pit still continued to hold my hand, and I observed his whole body tremble like an aspen leaf. The chief's wife now came again to me, and endeavoured by every means in her power to force me away; but finding I still refused, she went for her husband, who immediately came, and taking away my spear, forced me out of the crowd. He then called several other chiefs around me, and showed me to them. This caused great talking and laughing among them, from surprise at my colour and appearance. The king then addressed them at some length, apparently asking them not to hurt me, which they gave me to understand by signs that they would not. I was then delivered up to our chief's wife once more, who led me back to the place where we were left before. I had however a good view of the pit, round which the whole crowd still remained. I now found that, while I had been engaged with the chiefs, another fight had taken place in the pit, for I presently saw a man carried out by his friends, who were of our tribe, bleeding profusely at the side from a spear-wound. He was brought down to where I was, and placed on two men's knees, with some kangaroo-skins spread over him; the men, women, and children howling and lamenting, much in the manner of the lower Irish. They supplied him with water from time to time, but his wound was evidently mortal, and in less than an hour he expired. The chief's wife then took me away a short distance from the manner in which they did it. In the mean time two more men had entered the ring to fight; and here it may not be amiss to observe, that previous to each fight the same ceremony is used that is described by Thomas Pamphlet in the combat which he witnessed. The third fight was now going on, while our party were engaged in skinning their deceased companion; when it appeared, from a tremendous shout, that some unlooked-for event had happened in the pit. I afterwards learned that the spectators judged that foul play had taken place between the combatants. The crowd, upon this, drew away from the pit; and our party, accompanied by those tribes that were friendly to them, formed themselves in a line, while their adversaries did the same opposite to them. The battle then became general. Several from each side would advance, and having thrown their spears, again retire to the line, in the manner of light infantry. Other would get behind the trees, and there watch an opportunity to hurl their spears with greater effect. In this manner the fight continued upwards of two hours, during which time many retired from the line severely wounded, and another man of our party was killed. What number may have been killed on the other side I had no means of ascertaining. Our party now began to give way, which being observed by the women and children with whom I was, they made signs to me to accompany them; and with the exception of those who were employed in skinning the body, we made off. Not being able, however, to run as fast as the rest, I was soon in the midst of the opposite party, who, however, notwithstanding my fears, did not attempt to hurt me, but merely laughed and pointed at me as they passed by, showing the same marks of wonder as the chiefs had done in the morning. I then walked back to the huts which we had left that morning, but found nobody there. However, I sat down by the fire, and towards evening they began to return, a few at a time. Just before dark I saw a large crowd approach, who (it seems) were bringing the bodies of the two men who had been killed. They laid them down about twenty rods from the huts, and began a great lamentation over them. The first body was completely flayed, but they had not yet had leisure to skin the other. I attempted to approach, but was immediately prevented by all hands, and forced to return to the fire. Shortly afterwards our chief and his wife came back, and instantly commenced packing up their nets, &c. in order to depart. Two large fires were lighted where the bodies lay, in which, as I judged from the noise as well as the offensive smell, they were both consumed. Immediately after this our whole party decamped; and having travelled more than half a mile, we stopped for the night. Very early next morning we again started, and travelled all day with great expedition, without ever halting or eating any thing. Among our party were four women and three men wounded, the latter very severely. They however contrived, though with difficulty, to keep up with us. I had observed, during this day's march, two men, one of whom belonged same path with us, walking through the bush at a little distance abreast of us. Being curious to know what it was they carried, I attempted several times to approach them; but as soon as this was observed, I was invariably brought back by the others, who made signs to me not to go near them. We travelled that day about eight or ten miles, and towards evening arrived at the edge of a large swamp, where we halted, and huts were instantly erected by the women, who were afterwards obliged to go out and procure fern-root for the whole party, the men never providing any thing but fish or game. I lodged as usual with the chief, at a little distance from whose hut I observed the two men hang up their burthens, which I again attempted to approach, but was (as before) prevented. Here we remained two days, during which a large fire was kept constantly burning underneath the trees on which these mysterious burthens were hanging. On the evening of the second day, I once more attempted to find out of what they consisted, though I strongly suspected they were the skins of the two men who had been killed. The old chief, on seeing me go near them, ran after me, calling loudly to me to return; but I persevered, and at last reached the place. I now saw that my conjecture was right: the two skins were stretched each on four spears, and drying over the fire. The skin of the head was divided into two parts, and hung down with the hair on it. The soles of the feet and palms of the hands were also hanging down, and the nails still attached firmly to the skin. Several of the men and women were sitting round the fire under the skins, and now invited me to sit down with them, which I did. They then gave me some kangaroo skin to decorate my arms and head, and seemed to wish me to sing to them; but on my making signs that it was not proper to do so while the remains of our friends were not buried, they seemed surprised, and afterwards told me by signs that they were much pleased at my refusal. After sitting with them about half an hour, the chief's wife came and brought me back to the hut. Shortly afterwards, all the men dressed themselves in kangaroo-skins, and one of them in an old rug jacket which I had, and with one or two of the women, held a consultation round the fire, each person having a fire-stick in his hand. After conversing about half an hour, two of the party separated from the rest, and having taken down the skins, set off at full speed through the bush; the rest followed, shouting and making much noise. After this I saw nothing more of the skins, nor do I know what became of them. In about three-quarters of an hour the party returned; and the man who had taken my old jacket gave it me back. The next morning we returned towards the Pumicestone River by the same path which we had travelled to the fight, and the natives followed their usual occupations of fishing and hunting, as if nothing had happened."

The adventures of the three shipwrecked men, if their story can be relied upon, are strange enough: certainly they do not appear to be wilfully overcharged; although errors are quite obvious.

The next paper treats of a route from [illegible] plain[illegible]